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Fran and Ted Frank

with love from the author, Chris.

STUDIES IN HISTORY, ECONOMICS, AND PUBLIC LAW

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# THE ANGLO-AMERICAN PEACE MOVEMENT IN THE MID-NINETEENTH CENTURY

Harris, Christina (Phelps) 1902–

# THE ANGLO-AMERICAN PEACE MOVEMENT IN THE MID-NINETEENTH CENTURY

BY

CHRISTINA PHELPS, PH.D.

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CHRISTINA PHELPS

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"I shall not read the Sermon on the Mount to men who do not acknowledge its authority, nor shall I insist on my reading of the New Testament to men who take a different view of it; nor shall I ask the members of a Church whose Articles especially justify the bearing of arms to join in any movement which shall be founded upon what are called abstract Christian peace doctrines. But I will argue this question on the ground which our opponents admit, which not professing Christians only, but Mahomedans and heathen and every man of intelligence and common sense and common humanity will admit. I will argue it upon this ground, that war is probably the greatest of all human calamities."

*Speech* of John Bright at the *Edinburgh Peace Congress* of 1853. (Extract).

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# INTRODUCTION

THE future is an edifice which man builds with his own hands for his own use. Whether it be weather-proof, habitable, comfortable or beautiful depends upon the skill with which it is built and the materials used in its construction. One day man will have to occupy this structure of his own making; let him, therefore, build with the best that he has in him. To Victor Hugo belongs the simile, but he voiced presumably the thought of many reformers of the nineteenth century. The social and national builders, the dreamers and the workers in this golden age of reform, visualized society, like Matthew Arnold's cultured man, as forever growing and becoming. They considered it was theirs to mould as they saw fit, pliant in their hands, and that it was their mission and their duty to perfect the civilization in which they lived and moved and had their being. They may not have shared the faith of the preceding generation in the perfectibility of man, but they showed unquestioning faith in the perfectibility of human institutions. And they relied on the judgment of the average man, on his intelligence and goodwill; *vox populi* was to them almost *vox dei;* in short, they believed in democracy.

One of the many reform movements of the age was the movement for international peace. The builders, — social, political, economic and moral reformers — were warned by friends of peace that their work would be in vain unless international reformers were to lay the foundations of their edifice. They were assured that civilization built upon the war system would be like a house built upon sand. To endure, a house should be built upon rock. International

cooperation was to be the cornerstone of the structure so that peace, permanent and universal, might be established.

Before examining the work of the international reformers, the ashlar they were cutting for their cornerstone, it would be well to consider their relation to other nineteenth-century builders, and the materials ready to their hand. One should take cognizance of the state of international relations; questions of the day; the intellectual background of the movement; the character of friends of peace and their place in the social and political life of the time. The tendencies of the age must also be taken into account, those which were favorable as well as those which were adverse to the development of international cooperation—the so-called binding international factors: the rise and growth of national states; the fact that intercourse and communication between them was increasing. The movement for international peace developed in England and the United States between 1835 and 1853. The reasons for assigning these particular dates will appear in due course; but in general it may be said that by 1835 international reform had an assured place among the proposed reforms of the day; and that the movement attained its maximum strength on the eve of the Crimean War. In dealing with this question, one thing must be constantly borne in mind: the nature of the spiritual background of the nineteenth century. It was the curious mixture of Christian and humanitarian moral philosophy which, more than all else, conditioned the ideals and activities of these pioneering friends of peace. Individuals in other ages had dreamed of a state of international peace. But this was the first period to witness concerted action in its behalf, an organized movement the exclusive aim of which was international cooperation. The mental and spiritual character of the age was largely responsible for this group effort, and its keynote was the prevailing emphasis on Chris-

tian ideals. There was insistence both on the part of the Church—whose influence was considerably more widespread than it is today—and by reformers of every variety that Christians and Christian nations should turn over a new leaf and try to live by the principles they professed; that an age of progress in material civilization should comprise an advance in practical, working Christianity. It was the thought of this period that found expression in the eighteen-sixties, in Sir John R. Seeley's *Ecce Homo*, a revised interpretation of the mission and teachings of Christ. But these ideas were only beginning to be articulated by 1840, and the modernization of Christianity was not so much desired as its adaptation and application to existing social, political and international problems. An early instance of this tendency can be seen in the attempt of Jeremy Cross to Christianize American Freemasonry, an effort to modify the ritual and trace to Christian origins Masonic symbols. All important nineteenth-century reforms were urged on Christian grounds and advocated with Christian slogans. The Peace Societies were to supplement the work of the Anti-Slavery and Temperance Societies, the Bible, Missionary and Tract Societies; and international reform, a corollary to social reform, was to go hand in hand with these other reform movements. Many international reformers sincerely believed in the eventual establishment of a truly Christian Commonwealth based on permanent and universal peace; and its advocates did not hesitate to cite Biblical prophecies in support of their declaration that nations would "beat their swords into plough-shares" and would not "learn war any more." For friends of peace professed to believe in the divine inspiration of the Holy Scriptures. As Sumner said in 1849, the peace movement was an expression of the spirit of the age.[1]

[1] Sumner, Chas., *War System of the Commonwealth of Nations*

(Boston, 1849), pp. 56, 61 and 62; *Phi Beta Kappa Address on the Law of Human Progress* (Boston, 1848), pp. 28, 32. 48; *The Advocate of Peace*, December, 1834, pp. 141, 145; May, 1843, pp. 53-57; Oct., 1873, p. 73; *American Prize Essays on a Congress of Nations* (Boston, 1840), Essay iii, pp. 335-338; iv, pp. 373, 374, 424; v. pp. 448-451; vi, pp. 607 and 621; Channing, W. E., *Second Discourse on War* (republished, Boston, 1903), pp. 87-89; Seeley, Sir J. R., *Ecce Homo, A Survey of the Life and Work of Jesus Christ* (London, 1865), *passim*; Cross, Jeremy L.—R. W.; G. L., *The True Masonic Chart or Heiroglyphic Monitor*—Lectures. (New Haven, 1820), *passim*; Morley, John, *Life of Richard Cobden* (London, 1908), vol. i, p. 102; Fua, A., *Victor Hugo et la Paix* (Paris, 1920), p. 173. Verbatim quotation from V. Hugo: "L'avenir est un édifice mystérieux que nous bâtissons nous-mêmes de nos propres mains dans l'obscurité, et qui doit plus tard nous servir à tous de demeure. Un jour vient où il se referme sur ceux qui l'ont bâti..." Lord Beauvale's *Despatch*, in explanation of his suggestions for a "league" to preserve or enforce peace in Europe. Printed in the *American Historical Review*, Jan., 1930, vol. xxxv (no. 2), p. 310. *N. B.*, Lord Beauvale was the British ambassador to Austria, and he developed his ideas at the suggestion of Prince Metternich, during the European crisis of 1840. The project of Lord Beauvale was turned down by Lord Palmerston who was then British Foreign Secretary.

# CHAPTER I

## The Setting for the Peace Movement

For twenty years after Waterloo Europe was at peace. The Declaration of Aix-la-Chapelle signed by Great Britain, Austria, Russia, Prussia and France in 1818 had inaugurated a new era by stating that the sole object of European "union" was the maintenance of peace, and that in the interests thereof the signatories bound themselves to observe the customary law of nations. The resulting effort to stabilize the European order paved the way for later cooperation and gave the international reformers something to build on. The rise of national states and their expansion, necessitating some kind of regulation in their relations with each other, resulted in the concomitant development of modern international customary law. After the Congress of Vienna the ideal of European statecraft was the establishment of a concert of powers based on a community of power. And this ideal gradually supplanted the earlier concept of a balance of power. The European congresses which were held after the Congress of Vienna, whatever may have been their sins of commission along reactionary lines, had at least this community of power in view, and were a standing encouragement to the ideal of cooperation.[1] By the middle of the century Lieber was teaching that one of the "great

[1] de Martens, G. Fr., *Nouveau Recueil Général de Traités, Conventions,* etc.,... (Paris, 1858), Supp., Tome viii, p. 560; *The Westminster Review,* July, 1847, p. 364; Pollard, A. F., *The Balance of Power* (London, 1923). Reprinted from *The Journal of the British Institute of International Affairs,* II, vol. ii, pp. 54-56, 61 and 62).

dogmas" of his period was the co-existence of independent states, united by a common civilization and a law of nations. The process of adjustment has been slow and difficult; more or less frequent outbursts of states have checked collaboration; the growth of nations such as Russia and the United States of America have resulted in shifts of the European balance and a realignment of interests. But the formal origin of the "international constitution" can be traced to the Declaration of Aix-la-Chapelle.[1] Whether or not one agrees with this interpretation of the evolution of international cooperation, whether or not one believes in the existence of an "international constitution", is irrelevant. The fact remains that nineteenth-century internationalists did so believe, and in justice to their ideals and their optimism it is only fair to point out that certain twentieth-century internationalists consider that they were right. They believed that a new day had dawned with the opening of the Congress of Vienna, and that Christian nations were showing a definite tendency toward peace, assimilation and the development of a common international outlook. Victor Hugo, addressing the Paris Peace Congress in 1849, prophesied the rapprochement of two federal groups, the United States of America and the United States of Europe. And even Lord John Russell, speaking in the House of Commons that same year, said it was his opinion that there would be no revival of the European wars which had "disgraced" civilization, humanity and Christianity.[2] Not only did

[1] *Letter of Francis Lieber to C. Sumner*, 9 April, 1867. Printed in Perry, T. S., *Life and Letters of F. Lieber* (Boston, 1882), p. 371; Chamberlain, J. P., class notes on Public Law, Columbia University (October, 1928).

[2] Lieber, F., *ibid.*; *3 Hansard*, vol. cvi, pp. 54 and 114; *Debate* of 12 June, 1849—Cobden's motion for arbitration: speeches of Cobden and Lord John Russell. *N. B.*, Lord John voted against the motion and was not sympathetic with the Peace Movement; Hugo, V., Speech at the Peace

friends of peace count on developing and utilizing the tendency toward international cooperation, but in addition their attitude to the state was conducive to confidence in their own constructive ability. They looked upon the state as a moral person, endowed with a collective will, and therefore capable of being educated to a realization of its international responsibilities and obligations.[1]

There were a few friends of peace, however, who detected signs of approaching storm in the period of apparent calm. As early as 1835 William Ellery Channing, the Unitarian preacher, outlined the causes of European tranquillity and endeavored to show that they were not of an enduring nature. According to him the existing state of peace was but a temporary balance of power due to the exhaustion resulting from the Napoleonic wars; to a reactionary dread of civil wars; to the new era of commercial and industrial expansion and increasing international intercourse. But he maintained that European exhaustion would not last indefinitely; that the balance of power would be disturbed by the growth of nations that were outside of the European orbit; that fear of civil wars would breed revolutions and result in the establishment of republics, no less warlike than monarchies. Lastly, he believed that the growth of commerce, industry, population and prosperity, with the consequent expansion of national states, would lead to increasing friction and rivalry

Congress of 1849, quoted by Fua, A., *op. cit.*, p. 186; Field, D. D., *Address* before the Social Science Association, Manchester, 1866, p. 10; Cliffe Leslie, T. E., *article* in *Macmillan's Magazine*, Sept., 1860, p. 337; Laveleye, E. de, *On the Causes of War, and the Means of Reducing their Number* (London, 1872), pp. 27 and 28.

[1] Moore, J. B., *A Digest of International Law*, 8 vols. (Washington, 1906), vol. i, p. 14—"Pufendorf (1672) propounded the idea, which has been so generally adopted, of treating the state as a moral person, endowed with a collective will"; *American Prize Essays, op. cit.*, Essay vi, p. 516; v, p. 492; iv, p. 399).

between the expanding nations. The course of later nineteenth-century history goes to prove the correctness of Channing's analysis. The balance of power was often upset, and the concert of powers became converted into a simple balance: Europe eventually resolved itself into two hostile camps, the Triple Alliance and the Triple Entente. Also, many nineteenth-century wars are supposed to owe their origin, directly or indirectly, to a combination of militant nationalism and economic imperialism; and some forty of them were fought for national self-determination.[1] But in the long run national rivalries and competitive imperialism, the race for acquiring and exploiting lands which are economically backward, the investment of capital in foreign countries and the increasing complexities of international business were the causes of so much friction between states that the necessity of regulating the external affairs of states was recognized. The very urgency of the need for such regulation resulted, at first in cooperation between the nations, later in the beginnings of international organization. But in 1835 the mental effect of a twenty-year period of peace favored the general disposition to ignore Cassandra-like prophecies, and to believe in the continuance, almost in the inevitability of peace. It was hoped by some and thought by others that, thanks to Napoleon's overthrow and the acute reaction against the waste and miseries of the Napoleonic wars, Christendom was gradually losing its militant character and settling down to cultivate the arts of peace. Certain it is that wars of conquest were discredited, and that fear of such wars encouraged

[1] Channing, W. E., *Discourses on War*, 1816, 1835 and 1838 (edited by E. D. Mead, Boston, 1903), pp. 90-95; Pollard, A. F., *op. cit., The Balance of Power*, pp. 52 and 63; Hayes, Carlton J. H., *Essays on Nationalism* (New York, 1928), chapters v and vi, especially pp. 128, 135-137, 140 and 154. *Also*, Letter of R. Cobden to Geo. Combe, 14 July, 1846. Quoted in Morley's Life of Cobden, *op. cit.*, vol. i, pp. 440, 441.

belief in the possibility of international consolidations.[1] The wars that have been fought since 1840, the resulting disillusionment and set-back to hopes of establishing a general and lasting peace, make it easy to forget the significant differences between the period of the eighteen-thirties and the end of the nineteenth century. The tendency of advocates of peace was to expect great things from commercial bonds and free institutions. Steamboats, railways, canals, all that was foreshadowed by the advent of steam and electricity and the numberless reciprocities of nations appeared, not as so many potential sources of national friction, but as unifying forces tending to promote understanding between various peoples and nations. Non-political events such as Irish famines, world exhibitions, exchanges of royal visits and catastrophes like that of the loss of Franklin's North Polar expedition were supposed to tighten the bonds of international sympathy. The daily press, instead of being recognized as a menace to international concord and understanding, was thought to be a potentially pacific tool in the hands of liberals who, generally speaking, were desirous of educating the masses and influencing them to peace. The rising tide of democracy, the principles and practices of representative government were considered more favorable to the maintenance of peace between peoples than were autocratic monarchies, entirely under the sway of capricious and ambitious individuals;

[1] Channing, W. E., *Second Discourse on War, op. cit.*, p. 90; Sumner, C., *War System of the Commonwealth of Nations* (Boston, 1849), p. 56. Walker, Amasa, *Address: The Cause of Peace Practicable* (Boston, 1838), pp. 32-37; Upham, T. C., in the *Advocate of Peace*, January, 1839, pp. 179 and 181; *Advocate of Peace*, September, 1834, p. 73; Emerson, R. W., *Address on War*, before the American Peace Society (Boston, 1838), *passim*; *Douglas Jerrold's Shilling Magazine*, 1846, vol. iv, pp. 561 and 563; Fua, A., *Victor Hugo et la Paix, op. cit.*, quotations from V. Hugo, pp. 184, 186, 168-170; Cliffe Leslie, T. E., *op. cit.*, in *Macmillan's Magazine*, Sept., 1860, p. 338; Laveleye, E. de, *On the Causes of War, op. cit.*, p. 29.

especially so because an effete aristocracy and mass poverty were the supposed concomitants of despotic government; whereas democracy appeared to foster industrialization, urbanization and an educated middle class which could prosper only in a state of peace.[1]

Certain philosophical theories of the period were also considered as factors making for peace. There was more emphasis at that time on the Revolutionary principles of liberty, equality and fraternity, more insistence on the natural and inaliénable rights of man than on patriotism in its narrow sense. In other words, before the development of the "religion" of nationalism more thought was given to man's common heritage and the qualities that tended to community of thought and outlook,—the ingredients of what is known today as "the international mind."[2]

These concepts were emphasized by the English Utilitarians and by the French and German philosophers, who developed a theory of international morality and enlarged upon the precedents for international cooperation. The European congresses, of which there were ten between 1644 and 1713, and twenty-two between 1713 and 1814,

[1] The *Advocate of Peace*, September 1835, pp. 277-282; Jan., 1839, pp. 169-174; April, 1841, p. 273; Jan., 1842, p. 163; The *Herald of Peace*, Nov., 1848, p. 199; The *Express*, 26 Sep., 1848 (a London Newspaper)—quot., "the great guarantee of peace... lies in the augmented prevalence of the middle class. Visit any country where that class is fully developed,... and a Congress of Peace will be well attended, popular, and powerful"; Peabody, the Rev. A. P., *Address* before the American Peace Society (Boston, 1840), pp. 155-158; Sumner, Chas., *True Grandeur of Nations* (Boston, 1845), pp. 86-88; *War System of the Commonwealth of Nations, op. cit.*, pp. 51 and 52; Cobden, Richard, *Political Writings* (London, 1878), p. 71; Burritt, Elihu, *Speech* at the Frankfort Peace Congress, 1850, and *Lecture* on the Benevolent Associations of the Day,—printed in Burritt's Works (Boston, 1869), pp. 50-52 and 210-212. Fua, A., *Victor Hugo et la Paix, op. cit.*, pp. 178-179.

[2] *Advocate of Peace*, September, 1834, pp. 73-80; *American Prize Essays, op. cit.*, Essay iv, p. 359.

illustrated the increasing ability and disposition of the nations to consult together and take collective action on matters affecting their common interests. Individual peace plans also had their importance in the eyes of international reformers. The first modern, noteworthy plan was the Grand Design of Henry IV and Sully which provided for a confederated republic of fifteen members: six hereditary monarchies, five elective monarchies, and four republics. During the eighteenth century this very same scheme was elaborated and defended by the Abbé de St. Pierre and Jean Jacques Rousseau, and modified by Immanuel Kant. The American Quaker, William Penn, outlined a similar plan before the end of the seventeenth century. And in England, a century later, Jeremy Bentham, James Mill and John Stuart Mill treated of international politics in their writings and indicated paths to permanent peace.[1]

The optimism of nineteenth-century internationalists cannot be appreciated, still less understood, without taking into consideration their faith in the efficacy of public opinion. They believed that the public, once converted to an idea, once "enlightened," would sweep all before it with the force

[1] *American Prize Essays* (Boston, 1840), Essay iii, p. 307; iv, p. 348; vi, pp. 555, 562 and 582; Sumner, C., *War System of the Commonwealth of Nations, op. cit.*, pp. 44-51; Amos, Sheldon, *Political and Legal Remedies for War* (London, 1880), pp. 40 and 41; Hirst, F. W., *The Arbiter in Council* (London, 1906), pp. 255-350. *Also*: the peace plans of the following individuals: Sully, Maximilien de Bethune, duc de, *Sully's Grand Design of Henry IV*—from the *Economies royales*, 1641 (London, 1921, Grotius Society pub.); Penn, William, *Plan for the Peace of Europe, an essay towards the present and future peace of Europe by the establishment of European dyet, parliament, or estates*, 1693 (Washington, 1912); Saint-Pierre, C. I. C., abbé de, *Abrégé du projet de paix perpetuelle inventé par le Roi Henri le Grand,...* (Rotterdam, 1729); Rousseau, J. J., *Projet de paix perpetuelle, Oeuvres*, t. vii (Paris, 1793); Kant, Immanuel, *Zum ewigen frieden* (Konigsburg, 1795). For references to other, less important peace plans and proposals, *vide*: Darby, W. Evans, *International Tribunals*, fourth edition (London, 1904).

of a torrent. This concept of public opinion was as characteristic of the period following the French Revolution as was belief in the perfectibility of human institutions—the two were interdependent. It has even been said that the whole theory of democracy rested on implicit trust in the reliability of public opinion. This fact accounts for the way in which the international reformers of the nineteenth century went to work, and the kind of propaganda which they counted on proving efficacious. Educated public opinion was considered "stronger than law, . . . constitutions, . . . kings, . . . . even than truth," and was believed to increase in power daily. When a man of Daniel Webster's caliber could speak of public opinion as "a new and elevated tribunal," it is not surprising that reformers who needed to have faith in its efficacy should capitalize or over-estimate its potential strength.[1] Furthermore, believers in the efficacy of public opinion could point to reforms that had actually been brought about by means of the pressure of public opinion upon governments. In England, for example, the battle for Catholic emancipation had been won, as had that for the Reform Bill of 1832; and by 1846 Free Trade, a bitterly contested issue, was officially triumphant. Likewise, to argue that war still continued in spite of the preliminary and half-hearted steps already taken in the direction of international cooperation, and therefore that all efforts to end war were bound to be futile, was to ignore the great evils that Chris-

[1] *American Prize Essays, op. cit.*, Essay i, p. 70; ii, p. 182; iii, pp. 292, 297, 306; iv, p. 400; v, p. 498; vi, p. 600. The quotation on public opinion being "stronger than law," etc., is from Essay v, p. 466; *The (London) Daily News*, 26 Sept., 1848, editorial on the Peace Congress; *The Herald of Peace*, April, 1839, p. 247 (an article reprinted from the *Advocate of Peace*); Macnamara, H. T. J., *Prize Essay on a Congress of Nations* (London, 1841), pp. 244-246; *Advocate of Peace*, Dec., 1842, p. 282—quoting Webster's speech in Faneuil Hall; Martin, B. Kingsley, *The Triumph of Lord Palmerston, A Study of Public Opinion in England before the End of the Crimean War* (London, 1924), p. 15.

tendom had abolished in the course of eighteen hundred years. Witness the gladiatorial shows, duelling, class wars within a nation, the right of *diffidatio* (in England), the slave trade and religious wars. All of these had either been effectively outlawed by 1840, or else were in the process of becoming so. The horrors of war itself had been mitigated, and the criminal codes of most Christian nations were being improved. The next logical, reforming step was to bring public opinion to bear on the abolition of war.[1]

### THE INTERNATIONAL POLITICAL BACKGROUND

The wars and diplomatic crises which had particular bearing on the peace movement may be summarized in brief outline. Details on the subject are readily obtainable, so there is no need to do more than itemize them. The relations between Great Britain and the United States of America were, naturally, particularly significant in this connection. From 1837 to 1842 relations were strained to breaking point by the dispute over the North East boundary line. Guerilla warfare of a kind even broke out from time to time, and the situation was further complicated, during the Canadian Rebellion, by the burning of the brig *Caroline* and by the subsequent trial of McLeod in New York. The Webster-Ashburton Treaty of 1842, a triumph for conciliatory diplomacy, satisfactorily defined the North East boundary, and included an extradition clause and a provision for the suppression of the slave trade. Two years later there was trouble

[1] *American Prize Essays, op. cit.*, Essay v, pp. 441-443 and 454; Richard, Henry, *The Gradual Triumph of Law over Brute Force* (London, 1876), pp. 4 and 35; *Douglas Jerrold's Shilling Magazine*, 1846, vol. i, p. 40; *Tract XIII* of the London Peace Society, p. 37; *3 Hansard*, vol. cxxxci, p. 1530. *Mr. Layard's speech*, 19 February, 1855; Amos, Sheldon, *Political and Legal Remedies for War, op. cit.*, chapter headings under *The Abolition of War not Impossible*; Odysse-Barot, *Emile de Girardin* (Paris, 1866), p. 273.

about the North West boundary: a serious crisis which was settled by the Oregon Treaty of June 15, 1846. The Clayton-Bulwer Treaty of 1850 guaranteed, among other things, a mutual renunciation of attempted influence or interference in Central America by either government. Lastly, the Reciprocity Treaties of 1853 and 1854, which covered questions of commerce, navigation, and the fisheries and established a special commission to deal with all outstanding claims (*cf. infra*, pp. 159-162), cemented the new era of friendly relations between Great Britain and the United States which was inaugurated in 1846.

The special problems of the United States during this same period were mostly connected with disputes over the Southern and South Eastern boundary lines, and with annexations of territory. From 1839 to 1843 there was fighting in Florida and along the Mexican frontier. In March, 1845, Texas was annexed to the United States, war with Mexico followed, and peace was not re-established until the Treaty of Guadalupe-Hidalgo was signed on the second of February, 1848. The two piratical expeditions of General Lopez against Cuba, in 1850 and 1851 respectively, created considerable ill-feeling between Spain and the United States, but there was no question of a war once Lopez was officially disavowed. The only other episode of note was the friction caused by the French blockade of Mexico in 1839. A few years before there had been a Franco-American crisis concerning the claims of American citizens against France, but the mediation of King William IV in 1835 had apparently poured oil on the troubled waters. When, however, the French claims against Mexico led to a blockade of that country, American commercial interests were temporarily affected, and another crisis ensued. Happily, the blockade was lifted before the situation became serious.

Inasmuch as England was part of Europe, too close to the

Continent to escape becoming involved in Continental questions, there were a good many incidents which affected British interests during this same period. In 1840 the Near Eastern Question provoked European intervention in the affairs of the Ottoman Empire. The revolt of Egypt under Mehemet Ali almost caused a Russian war and a break between England and France. In 1846 there was a great deal of friction with France over the famous or infamous question of the Spanish Marriages, and—also in 1846—Great Britain intervened in the civil war in Portugal at the request of the Queen of Portugal. The next year England was swept by the first of the three panics which were due to groundless fears of French invasion (*cf. infra*, p. 169 and note). Outside of Europe British troops fought intermittently against the Sikhs and the Kaffirs, and from 1840 to 1842 carried on a war with China for the opium trade. During the eighteen-forties England's diplomatic support of the Sultan of Turkey gave offence to Greece; and the Ionian Islands, which had become a British protectorate in 1815, intensified the growing hostility in that they were a hot-bed of revolutionary disturbances. In 1850 Anglo-Greek hostility culminated in the Don Pacifico incident, and the combined protests of France and Russia did not prevent the British Government's brow-beating of Greece in support of the claims of British, pseudo-British and Ionic citizens. 1852 was marked by the " Second Panic " in England, and 1853 brought to a head the further difficulties in the Ottoman Empire which resulted in the Crimean War. In March, 1854, England and France joined forces to maintain the integrity of the Ottoman Empire and to check Russia's expansion in South Eastern Europe.

This brief sketch is enough to indicate the general background of the decade which ended in 1853. At least it makes abundantly clear the fact that international reformers had adequate cause to crusade for peace. It may also be

noted, in passing, that friends of peace considered that almost every one of the above-mentioned wars and diplomatic crises could have been satisfactorily settled by international arbitration.[1]

### PEACE AND OTHER QUESTIONS

It has already been remarked in passing that the mid-nineteenth century was the golden age of Reform. The lines of a seventeenth-century poet voiced the spirit that was in the air:

> Tho' louder fame attend the martial rage,
> 'Tis greater glory to reform the age.[2]

A widespread humanitarian movement, a great wave of philanthropy swept Christendom, and was so irresistible in English-speaking countries that even the unenthusiastic were carried along in its wake. There were socialistic experiments such as those associated with Fourier and Louis Blanc on the Continent; with Benson, Brisbane, Greeley and Ripley in the United States. And in England there were educational and political reforms patronized by men of Lord Brougham's type; the first coöperative experiment under Robert Owen; and the beginnings of social legislation. Societies were formed and international congresses convened to promote every proposed reform. In London, the " radiating centre " for philanthropic enterprises, there were, by 1854, five Bible Societies, thirty-three British and Foreign Missions, fifteen educational and twenty-three benevolent societies including

[1] For a clear, brief account of Anglo-American relations, 1814 to 1854, *vide* Moore, J. B., *Digest of International Law* (Washington, 1906), vol. v, pp. 713-722; for American-Mexican relations, *ibid.*, pp. 777-780. For a full and impartial account of the Don Pacifico affair, *vide* the *Annual Register* for 1850, pp. 281-294 (the section on History).

[2] Quoted from Edmund Waller by Chas. Sumner in an address before the literary societies of Amherst College, 11 August, 1847.

that for peace. Their combined incomes totalled £1,256,644. The Statistical Society, reporting on international congresses that same year, stated that Brussels had been the seat of free trade, prison discipline, peace, public health, meteorological science and statistical congresses.[1]

The great social reform of the era, which was also partly an economic one, was abolition. The crusade against the slave trade and the movement for emancipation was the supreme issue in England until 1834, and in the United States until 1861. So absorbing a question was it that many friends of peace were primarily known for their abolition sympathies, and even Charles Sumner practically forsook the peace cause, of which he had become an ardent advocate, in order to work for the overthrow of the institution of slavery.[2]

But for purposes of comparison, the Temperance Movement is peculiarly relevant. The remarkable, contemporary success of that movement was a justifiable cause of encour-

[1] On the *philanthropic spirit* of the age, see: The *Life of William Allen,* with selections from his correspondence (London, 1846), 3 vols., *passim.* Especially, vol. iii, pp. 168, 169 and 362; *Burritt's Works, op. cit.*, pp. 37 and 40; Ballou, Adin, *Autobiography* (Boston, 1896), pp. 325 and 326; Sumner, Chas., *War System of the Commonwealth of Nations, op. cit.*, p. 52; *Advocate of Peace*, August, 1840, pp. 170-172. Morley, John, *Life of Cobden, op. cit.*, pp. 98, 99. On England as the radiating center of philanthropy, *Life of Allen, op. cit.*, vol. ii, p. 457; Burritt, E., *Year-Book of the Nations* (London, 1855), p. 33; Marsh, John, *Temperance Recollections: Labors, Defeats, Triumphs, An Autobiography* (New York, 1866), p. 147; *Journal of the Statistical Society* (London, 1854), pp. 1 and 2; *Punch, or the London Charivari*, 1842, vol. ii, p. 203. Article on Exeter Hall.

[2] Friends of peace who were noted for their anti-slavery work were: Joseph Sturge, Elihu Burritt, William Ladd, Dr. Channing (W. E.), William Allen and Henry Richard. *Vide*, especially, Sturge, J., *A Visit to the United States in 1841* (London, 1842), *passim*; Hobhouse, Stephen, *Joseph Sturge, His Life and Work* (London, 1919), chapters iv and vii; Pierce, Edw. L., *Memoir and Letters of Charles Sumner* (Boston, 1893), vol. iii, pp. 39, 68.

agement to friends of peace. If, they argued, so much could be accomplished by temperance reformers, equal progress might be made in the same way by international peace reformers. Consider for a moment the rise of the Temperance Movement, and compare it with the account of the organized peace movement as outlined in the following chapter. The first American Temperance Society was founded in 1808, the first London society in 1830. By 1831 in the United States there were nineteen state societies, embodying 3000 local societies with a membership of over 300,000. The American Temperance Union was founded in 1836 with the object of spreading temperance throughout the United States by means of information and "moral influence." Between 1846 and 1853 the Temperance Movement was at its height. Immense popular enthusiasm prevailed both in the United States, as a result of the work of the "Washingtonians," and in England, as a result of the missionary zeal of Father Mathew of Cork. The first world conventions were held in London; the British and Foreign Temperance Society, patronized by Queen Victoria, began its operations on the Continent; and Father Mathew, after touring the British Isles, toured America in 1850. Many Quakers, and the Christian ministry generally, backed the movement. But the most significant thing was the legislative action actually initiated by the Temperance reformers. During the two years, 1845 to 1847, there was a law on the New York statute books prohibiting the sale of liquor. In 1851 Maine passed a law abolishing the liquor traffic and prohibiting the issue of liquor licenses. During the eighteen-fifties fifteen States of the Union adopted the Maine law. The fact that Maine alone would retain state prohibition was not, of course, foreseen at the time. Such legislation had been brought about by a vigorous campaign on the part of efficiently organized societies. Propaganda

was carried on by means of the broadcasting of tracts; the establishing of a journal; the insertion of articles in religious and political papers; getting signatures for petitions; offering prizes for essays; encouraging individuals to sign total abstinence pledges; stump-speaking and the sending abroad of traveling agents in behalf of the cause. The 1840 report of the American Temperance Union stated that about half a million pledges had been obtained and more than 700,000 publications had been issued in the course of ten years. And the Advocate of Peace, contrasting the cause of peace in 1841 with contemporary reform movements, complained that the funds of temperance societies more than doubled the available funds of peace societies.[1]

The high-water mark of the temperance movement was also that of the peace movement. The relation of peace to other benevolent activities was increasingly emphasized,—peace was linked to temperance, to anti-slavery and to missionary efforts to Christianize the world. After 1840 peace came to be considered by many reformers as either a pioneer or an auxiliary to other reform movements. In Sumner's words, the cause of peace "embraces all the causes of human benevolence. It is the comprehensive charity, . . ."[2] By 1843 advocates of peace claimed that the cause was gaining in general favor, although it was admittedly difficult to ascertain the exact degree of its success.[3] Proofs of a rising interest in peace were noted in such events as the successful mediation of England between France and Sweden in 1834, and between France and the United States in 1835. Still

[1] Marsh, John, *Temperance Recollections, op. cit., passim*; *American Register and Magazine* for 1851, vol. vi, p. 376; *Encyclopedia Britannica*, 11th edition, articles on "Liquor Laws" and on "Temperance," by Arthur Shadwell, vols. xvi, pp. 759-770, xxvi, pp. 578-590.

[2] Sumner, Chas., *True Grandeur of Nations, op. cit.*

[3] *Advocate of Peace*, June, 1844, p. 211. The sixteenth annual report of the American Peace Society.

earlier, in 1826, the platform of the Congress of Panama, which proclaimed a desire on the part of its members to establish peace with the whole world by means of freedom of commerce, religious toleration and the reference of all disputes to negotiation instead of to war, had been taken to mark the beginning of a new era in the New World. A few years later Frederick William of Prussia, Christian Frederick, Prince of Denmark, Casimir Perier, speaking for France, Lord Brougham and Earl Grey in official speeches in London, all testified to their sympathy with the cause.[1] After the signing of the Webster-Ashburton Treaty there seemed to be more popular enthusiasm for peace in both England and the United States than ever before. In the British Isles there were even peace meetings to check recruiting and rouse public opinion to protest against the wars in China and Afghanistan. Americans were particularly prone to believe that there was strength in union, and that progress in the direction of peace could be traced to organized, collective efforts in its behalf, and to the fact that the principle issues of war and peace had been adequately laid before the public.[2]

Henry Richard, in his *Memoirs of Joseph Sturge,* called attention to the specially active campaign which was undertaken by English friends of peace in 1846. He attributed this increased activity to a double motive: fear of the war spirit and hope because of the triumph of free trade. A growing war spirit had shown itself in England as Whig pacifism de-

[1] *Advocate of Peace*, June, 1834, p. 49; Sept., 1834, pp. 83, 85-87; March, 1835, p. 200; June, 1836, p. 41; *American Prize Essays on a Congress of Nations* (Boston, 1840), pp. 639 and 640; *Herald of Peace*, Oct., 1836, p. 59; *Crowninshield's Report* to the Committee on Foreign Affairs of the U. S. Senate, 26 March, 1826 (on the Congress of Panama).

[2] *Advocate of Peace*, June, 1842, p. 162; Nov., 1842, pp. 259-261; Dec., 1842, p. 283; May, 1843, pp. 54-56; June, 1844, p. 212; Sturge, Joseph, *Visit to the U. S.* in 1841, *op. cit.*, p. 218.

clined after 1830. As to free trade, the deciding of the issue in 1846 gave an opportunity for the advertising of its international implications, and leisure in which to work for other reforms. Furthermore, peaceful policies became fashionable when Sir Robert Peel and Lord Aberdeen, whose pacific inclinations were known and respected, took office in 1841. The climax of this vigorous campaign was reached in 1848 and 1849 when determined opposition was made to the Government's proposed Militia Bill, the first two continental peace congresses were held, and Richard Cobden made a motion in Parliament in favor of international arbitration treaties (*cf. infra*, p. 153). Cobden, in the course of defending his motion, stated that there was a double peace movement in England: one which had been initiated by a religious body in pursuit of an abstract principle; the other by financial reformers who, anxious for a reduction of expenditure, realized that past or present wars and peace-time armaments were accountable for "seven-eighths of the expenditure of the country." Of the countless editorials written on Cobden's speech, none is more significant than the one which appeared in *Punch*. It is one of *Punch's* few serious articles on questions of the day, and is a confession of faith in the "ultimate prosperity" of Cobden's doctrines on the ground that they are mingling themselves with the "best thoughts of the people." When Whewell brought out a new edition of Grotius' *The Law of War and of Peace* in 1853 he said in his introduction that he did so because the sentiment and desire for peace was so widespread and had "shown itself in so many remarkable ways." [1]

But friends of peace had no sooner begun to be optimistic than the tide turned against them. The Crimean War broke

[1] Richard, H., *Memoirs of Joseph Sturge* (London, 1864), pp. 417-425; *3 Hansard*, vol. cvi, p. 118. Debate of 12 June, 1849; *Punch*, 1849, vol. xvi, p. 257; Whewell, William, edition of Grotius' *The Law of War and of Peace* (London, 1853), p. xii.

out late in 1853, and its immediate result was a set-back to the peace movement as a whole. In England the war fever was so intense that advocates of peace were powerless. In the United States the check to the cause in England had a corresponding effect on the American peace movement. Moreover, Abolition and all it involved loomed large to the exclusion of every other question. It was even admitted by ardent international reformers that the decade from 1853 to 1863 marked a distinct set-back to the cause and showed a great falling-off in the number of its "nominal" adherents. Nevertheless, they insisted that the reaction against peace was only temporary, and, as Elihu Burritt expressed it, the time to have faith is when the multitude doubt.[1]

### PEACE AND RELIGION

Enough has been said as to the relation between Christian ideals and nineteenth-century reform movements to explain the close connection between peace and Christianity. The chief point to be emphasized is the distinction that was made between the philosophy and practice of Christianity on the one hand, and organized religion and theology on the other. Friends of peace appealed to Christians of every denomination to cooperate in working for peace; they identified Christian aims and ideals with those of would-be international reformers; they stressed the incongruity of living a truly Christian life and, at the same time, countenancing the war system; they maintained that Christianity could only be practised in a peaceable community and that a religion, the essence of which is self-denial and brotherly love, should automatically inhibit appeals to force. But official connection between the cause of peace and the Church was not desired by most advocates of peace. Much

[1] Burritt, E., *Works* (Boston, 1869), pp. 230, 231, 258, 244-250 and 311; Curti, M. E., *The Movement for International Peace in the United States*, 1815-1860 (Harvard, 1927), pp. 504-509.

as the aid of the Church was sought after, welcome as was its support, it was generally believed that, strategically speaking, peace must be fought for on its own merits. As a single, clear-cut issue the cause might hope to prosper; but peace was likely to remain a dim ideal if it were annexed to any comprehensive system of religion and morality. Even though, in theory, every church organization might become a peace society, as some extremely religious advocates of peace desired, the Church would first be in need of reformation and purification. Militant Christianity would have to be superseded; and each and every minister of the Gospel would be required to take a definite stand for peace. The only practical way to work for peace was to make it an end in itself, a distinct and independent issue. And the principal way in which the Christian ministry and individual Christians could give efficient aid to the cause would be to encourage the substitution of what Dr. Channing described as "the intelligent, moral, spiritual . . . love" of an active religion for a passive theological shell.[1]

As for the attitude of the Church itself, there is no evidence to show that collective, official support was ever given to the peace movement. There are many instances of action taken in behalf of the cause by individual churches and ministers; but organized religion, the churches as a whole and, in particular, the Church of England, were unsympathetic to the movement.[2] However, the attitude of the

[1] Channing, W. E., *Second Discourse on War*, Boston, 1835 (edition of 1903), pp. 87-92; Worcester, Noah (Boston, 1814), *Tract no. 1 of the London Peace Society*, p. 22; Bogue, D., *Tract no. 6 of the L. P. S.* (1813), pp. 12, 21; Macnamara, H. T. J., *Prize Essay on a Congress of Nations* (London, 1841), pp. 297-300; *Advocate of Peace*, June, 1835, pp. 225, 226; Sept., pp. 272-275; June, 1836, pp. 17-27; June, 1839, p. 20; *Herald of Peace*, Aug., 1836, p. 30; Dec., 1836, pp. 81-87; April, 1843, p. 309; and 1846: Jan., p. 1; Feb., p. 17; March, p. 33; April, pp. 52-54.

[2] *Herald of Peace*, July, 1840, p. 107; Oct., 1841, p. 377; May, 1855,

churches was closely watched, and the conversion of ministers to the cause was eagerly noted by friends of peace. They had a lively appreciation of the influence of the Church in the direction of public opinion. It has been said that even now, in the twentieth century, the Briand-Kellogg Pact could not have been carried in the United States without the help of the churches. How much more important, therefore, was organized religion to the nineteenth-century peace movement, when the social and intellectual prestige of the Church was considerably greater than it is today. In both England and America occasional ministers pledged themselves to preach peace sermons, to take up specific collections for peace societies and to appoint special Sundays on which to hold annual concerts of prayer for peace. But it was only in New England, where churchmen of the type of William Ladd became advocates of peace, that any real support was given to the movement. By 1836 most of the New England churches, individually or in general conferences, had passed resolutions favorable to the objects of peace societies, and over 800 ministers of various denominations were pledged to preach annually on peace.[1]

The one unfailing source of strength to the peace movement was the Society of Friends. Wherever Quakers were to be found, there was a nucleus of anti-war sentiment. Joseph John Gurney, writing in 1845, defined Quakerism as "the religion of the New Testament, without addition, with-

p. 200; June, 1855, p. 212; Amos, Sheldon, *Political and Legal Remedies for War* (London, 1880), pp. 45-48; Spencer, Sidney, *Pacifism in Theory and Practice* (Edinburgh, 1926), *passim*; Farrer, A. J., *War and Christianity, Peace Society Tract* (London, 1915), p. 27.

[1] *The Calumet*, 1831, vol. i, p. 8; *Advocate of Peace, 1834*, June, p. 55; Sept., pp. 102, 103; *1835*, June, p. 218; March, pp. 192, 193; Dec., pp. 327-330, 340, 341, 342, June, 1836, pp. 41-47; Sept., 1845, p. 102; *Herald of Peace*, July, 1836, p. 4; *Conversation* with Professor J. P. Chamberlain of Columbia University, June, 1929.

out diminution, and without compromise." And the Quaker belief in non-resistance, in the unchristian character of war, rested less upon a literal construction of a few, isolated Scriptural texts, than upon a conviction that there was an irreconcileable antagonism between war and the whole spirit and tendency of Christianity as taught in the New Testament.[1] In the United States Quakers kept to themselves and took very little part in social or political life. But in England they actively supported social reforms and even identified themselves with the anti-slavery movement and worked for the abolition of capital punishment, and to a lesser extent for Free Trade and the reform of the franchise. Accordingly it is not surprising to find that they were the backbone of the English peace societies, and that many prominent Quakers were active promotors of international reform. Cobden, although he realized the divergence of his practical pacifism from the ideal of Quaker absolutists, insisted, nevertheless, that nothing could be done to forward the cause of peace without the Quakers and that no steps should be taken by friends of peace which might conceivably alienate them. Incidentally, Cobden stressed this point after the Don Pacifico Affair of 1850, when a decisive victory had been gained for the aggressive interventionist policies of Lord Palmerston. Quakers were also of indirect use to the cause. Examples of Quaker heroism and instances of the application of non-resistance principles, such as Penn's government of the State of Pennsylvania, constituted a standing argument for peace and a partial refutation of the arguments in favor of peace-time armaments and support of the war system.[2]

[1] Gurney, J. J., *Memoirs* (3rd edition, Philadelphia, 1855), vol. i, pp. 466, 467; Richard, Henry, *Memoirs of Joseph Sturge* (London, 1864), p. 414.

[2] *Life of Wm. Allen, op. cit.*, vol. i, pp. 245, 358; vol. ii, pp. 246-287,

## FRIENDS OF PEACE

Before dealing with the work of friends of peace, a word must be said as to their general status and place in social and political life.[1] In the mid-nineteenth century they were few in number and they belonged chiefly to the middle and lower middle classes. Most of them were either manufacturers and business men, non-conformist ministers, Quakers, philanthropists, philosophers and professors, political radicals, or free traders and economic liberals. The balance was made up of free lances among whom were a few outstanding personalities. Continental friends of peace, who figure only incidentally in the history of the peace movement in England and the United States, were, for the most part, writers and journalists, lawyers, or social and political radicals. Richard Cobden, for example, was a free lance: a radical Member of Parliament, leader of the Free Trade Movement, the owner and operator of cotton mills in Lancashire. He was never officially connected with the peace movement, and his peace principles were largely based on a kind of sublimated economic liberalism, but he did almost as much for the cause in England as any other

345; vol. iii, p. 264; Grellet, Stephen, *Memoirs* (Philadelphia, 1870), pp. 200, 380 and 388; Gurney, J. J., *Memoirs, op. cit.*, vol. ii, pp. 15, 39 and 398; Channing, W. E., *Second Discourse on War, op. cit.*, p. 88; Richard, H., *Memoirs of Sturge, op. cit.*, p. 424; *Advocate of Peace,* June, 1835, p. 218; *Herald of Peace*, Nov., 1848, p. 207; Hobson, J. A., *Cobden the International Man* (London, 1919), pp. 73, 79-82, 105; Cobden's *Political Writings, op. cit.*, p. 24; Hirst, M. E., *The Quakers in Peace and War* (London, 1923), *passim* and especially part iv,, chapters x and xi, pp. 243-307; Spencer, Sydney, *Pacifism in Theory and Practice, op. cit.*, p. 48; Stokes, Wm., *The Olive Branch* (London, 1860), p. 88; *Edinburgh Review*, April, 1848, article on *Modern Quakerism, passim* and especially pp. 515 and 516.

[1] Friends of peace is the name by which international reformers were known. The title had no trace of the (disagreeable) connotation connected with the modern term of pacifist.

individual, and he addressed several of the peace congresses. Of those who labored incessantly for peace and were known primarily for their work as agents of peace societies, William Ladd and Elihu Burritt are the most representative Americans, and Joseph Sturge and Henry Richard are the best known Englishmen. Ladd was a New Englander who dedicated his whole life to working for the establishment of a congress of nations and the promotion of peace in general. Burritt, also a New Englander, commonly called "the Learned Blacksmith," taught himself a dozen or more foreign languages in order that he might work along the same lines in Europe. They were both ardent churchmen. Sturge, an English Quaker and a corn merchant, was as well known for what he did to bring about emancipation in the West Indies, and for his free trade and Chartist activities, as he was for his peace work. Richard, a Welsh Quaker, was for many years an active Member of Parliament. Many friends of peace were Quaker philanthropists. The most noteworthy of these was William Allen, F.R.S., lecturer on Chemistry and Natural Philosophy at Guy's Hospital in London, who founded the London Peace Society. He devoted himself to the cause of peace with the same, indefatigable zeal that he showed in working for prison reform and the abolition of capital punishment; for the outlawing of slavery and the slave trade; for the promotion of science and education; for social and sanitary reforms among agricultural and factory laborers; and for the spread of Christianity. A memorial article in the *Edinburgh Review* said of his life that it was an index to the philanthropy of the age. In the United States, college professors such as T. C. Upham contributed intellectual support, and anti-slavery leaders such as Amasa Walker and the Tappans backed the cause. The Transcendentalists took no active part in the movement, but they were sympathetic with the ideal of a state of permanent and

universal peace. Two ministers whose names are associated with peace are significant but not really typical examples of religious international reformers. William Ellery Channing, the famous Unitarian preacher, an eloquent advocate of peace, was best known for his championing of the anti-slavery movement; and Adin Ballou, who became a radical non-resistant, was a freemason, a Universalist minister and a social reformer. There were, of course, any number of liberals like Horace Greeley who were "ardently favorable to Universal Peace," as he expressed it, but who did not fully sympathize with the peace movement as a whole. Such men cannot fairly be ranked as " friends of peace ", any more than could J. S. Mill or Francis Lieber, in spite of the interest they took in the reform of international law.[1]

Among friends of peace there were several degrees of pacifism. A few of them were against all war, offensive and defensive alike; others believed in the " right " of national

[1] Greeley, H., *A Glance at Europe* (N. Y., 1851), pp. 280 and 281; *Edinburgh Review*, April, 1848; op. cit., p. 515; *Herald of Peace*, July, 1837, p. 96; July, 1842, pp. 129-132; Jan., 1843, pp. 216-221; May, 1844, p. 114; Oct., 1845, p. 364; Dec., 1846, p. 190. For details of the lives of the above-mentioned friends of peace, see the following biographies or autobiographies: Morley, John, *Life of Richard Cobden, op. cit.*; Hobson, J. A., *Cobden the International Man, op. cit.*; Hemmenway, John, *Life of William Ladd* (Boston, 1872); Burritt, Elihu, *Ten-Minute Talks on All Sorts of Topics*, with an Autobiography of the Author (Boston, 1874). Also, *The Testimonial Speeches at Manchester*, 5 Oct., 1849, printed in Burritt's Works (Boston, 1869); Richard, Henry, *Memoirs of Joseph Sturge* (London, 1864); Hobhouse, Stephen, *Joseph Sturge, His Life and Work* (London, 1919); Miall, C. S., *Memoir and Life of Henry Richard* (London, 1889); *Life of William Allen, with Selections from his Correspondence* (London, 1846), 3 vols.; Channing, W. E., *Discourses on War*, 1816, 1835, 1838 (printed in 1903, *op. cit.*); Channing, W. H., *Memoir of W. E. Channing* (Boston, 1854); Ballou, Adin, *Autobiography* (Boston, 1896). On R. W. Emerson and the Transcendentalists, *vide*: Holmes, Oliver Wendell, *Ralph Waldo Emerson* (Boston, 1885); Emerson, R. W., *War*, An Address before the American Peace Society, Boston, 1838.

self-defense. A still greater number were in favor of international cooperation to maintain peace, but held that war was occasionally necessary or justifiable. Those who believed that it was right to go to war for certain objects were in favor of fighting for liberty, self-government, free institutions and national "honor." On similar grounds the "right" of intervention by one nation in the internal affairs of another was occasionally claimed. On certain questions of the day, there was also division among friends of peace. Should an anti-war campaign include, logically speaking, the movement to abolish capital punishment? This issue was, fortunately for the cause, officially barred from the peace platform (*cf. infra*, pp. 45, 46). But many individuals decided the matter for themselves by working for both reforms independently. There was also disagreement among friends of peace as to the political and military duties of citizens: was the position of a conscientious objector ethically tenable or not? Should a man's duty to the state be more exacting than his religious and moral convictions? Then, too, there were moot questions of peace policy or tactics. Would it be more practical to work for the immediate establishment of a congress of nations or for the development of a system of international arbitration, or should both plans be advocated simultaneously? Was the codification of international law a prerequisite to other international reforms? Should the question of national economy, the expenditure which is entailed by armaments and an extensive colonial system, be given as much prominence as economic liberals advised, or would it be wiser to emphasize the unchristian character of war and attempt to convert public opinion by means of moral and religious arguments alone? Such, very briefly, were the main problems confronting international reformers. If a general criticism of their tactics may be ventured upon, it is that they attempted more than was practicable and that

their creed was complex instead of simple. They did not sufficiently clarify the issue, and they failed to present a united front against the forces of militarism and anti-pacifism.[1]

[1] For the three-fold character of friends of peace, see: *Advocate of Peace*, April, 1843, p. 37; Hobson, J. A., *Cobden the International Man, op. cit.*, p. 94. On *Non-Resistance, vide*: *Advocate of Peace*, June, 1835, p. 224; Nov., 1838, p. 143; Sumner, C., *War System of the Commonwealth of Nations, op. cit.*, pp. 8-11; Pierce, E. L., *Life of Sumner, op. cit.*, p. 267. Apologists of non-resistance: Coues, S. E., *War and Christianity, Peace Society Address*, 1842, pp. 21-23; Upham, T. C., *Manual of Peace* (Boston, 1842), pp. 154-167 (193; 199; 203); Dymond, Jonathan, *Tract vii of the London Peace Society*, pp. 7-27; Dymond, Jonathan, *War*, its causes consequences, lawfulness, etc., An Essay from "Essays on the Principles of Morality," 1823 (London, 1915), p. 79; Against non-resistance: *The American Peace Society, cf. infra*, p. 45; Channing, W. E., *Second Discourse on War, op. cit.*, pp. 64-66. Rev. J. Hargreaves, quoted in the *Advocate of Peace*, Dec., 1839, p. 92. *On Intervention*: on the origin of the dogma of non-intervention, the Cobdenite-Manchester Liberal doctrine, see Amos, Sheldon, *Political and Legal Remedies for War, op. cit.*, p. 155; *Annual Register* for 1851, re Kossuth. *In favor of Non-Intervention*: Cobden, R., *vide*: *Political Writings, op. cit.*, pp. 19-21, 58-59, 110-112; *3 Hansard*, vol. cxxxvi, pp. 803 and 832; Hobson, J. A., *op. cit.*, pp. 112, 145, 159, 164, 171, 321 and 325-330; Bright, John, *Public Letters* (London, 1885), pp. 2 and 3—letter of 3 July, 1850; Girardin, E. de—see his *Life* by Odysse-Barot (Paris, 1866), p. 269; Sumner, C., see his *Life* by Pierce, *op. cit.*, pp. 266 and 271; *Herald of Peace*, March, 1837, p. 38—on the annexation of Texas; and Dec., 1851, p. 221—on Kossuth; *Advocate of Peace*, Feb., 1852, pp. 17-28—on Kossuth; *ibid.*, quoting the president of the A. P. S., the Hon. William Jay. The best arguments in favor of intervention are given by. Mill, J. S., *Dissertations and Discussions* (London, 1882), vol. iii, pp. 49-51, 243, 252-261; Lamartine, A. de, *La France Parlementaire* (Paris, 1865)—"Manifeste aux Puissances, 1848." *On Capital Punishment: The Advocate of Peace*, Dec., 1834, p. 146; March, 1835, p. 172, June, 1836, p. 35; *The Herald of Peace*, Oct., 1836, p. 62, April, 1840, p. 103; Tract xii of the L. P. S., pp. 20-26—(J. J. Gurney). *On the Political Duties of Citizens*: defense of the conscientious objector—Channing, W. E., on *War, op. cit.* (1903), *Lecture on War*, pp. 103-107; and *Extracts from Sermons*, pp. 113-123.

# CHAPTER II

## Organized Peace Work

### PART ONE. — PEACE SOCIETIES AND THE PEACE CONGRESSES

The preceding bird's-eye view of the setting for the peace movement and its place among other reforms brings one to an examination of the peace movement itself. Organized peace work during the first half of the nineteenth century centered in peace societies. After 1854 when their prestige and influence was on the wane, its chief outlet was in the propagation of various plans for international cooperation. But even these plans were either sponsored or fostered by peace societies.

All friends of peace felt it to be their first duty to cooperate in working for the abolition of war. There was every reason, if the cause of peace was to prosper, that those who took a high moral ground against war should work with those who, for one reason or another, merely believed that a state of peace was preferable to a state of war. Even the London Peace Society, radical and non-resistant as it was, realized that the cause needed every available protagonist, and that the only important question was as to how they should cooperate. And since a "general morality," as Sumner put it, "is apt to be inefficient," and because many held that the cause of peace was sufficiently distinct and important to constitute a reform movement in itself and have a separate organization, peace societies were founded whose members worked out an extensive system of propaganda.[1] The immediate object of these societies in combining indi-

[1] Sumner, Chas., *Phi Bet Kappa Address*, 1846, p. 54; *Advocate of Peace*, June, 1836, pp. 17-27.

vidual efforts for public benefit was to collect all potential peace workers in one center and arm them with a common purpose, that of organizing a pacific public opinion.[1] Henry Richard, in answer to the question of how public feeling could be changed, said that one could refuse to smother one's honest convictions and so cast truth into the public mind. In other words, the conversion of private opinion was thought to be a prerequisite for the conversion of public opinion.[2] Peace agents were to carry on their propaganda through the press, the pulpit and the school. The press was to flood the land with newspapers, tracts and periodicals that should plead the cause either directly or indirectly; the Christian ministry was to bring its influence to bear and lose no opportunity of exploiting all religious arguments in favor of peace; and women in the home together with teachers in the schools were to lay the foundations for future propaganda by training the young to think pacifically. Furthermore, the people must be educated by every conceivable means, so it was held to be the duty of each and every individual who saw the light to consider what he or she, personally, could do to help the cause of peace. If any person had wealth, let him give it to the cause; if he had any talent, let him use it in behalf of the cause, especially if he were an orator or a writer. If he had neither wealth nor genius, he could still plead the cause at home, in the family circle or amongst friends. The peace societies thought it advisable to imitate the methods of other reform associations; to call upon the members of various professions for aid; to solicit contributions from all and sundry, and to collect in one center all friends of peace from whom rays of "light and heat"

[1] *Tract VI* of the London Peace Society, p. 22; *Advocate of Peace*, Sept., 1835, p. 283.

[2] *Herald of Peace*, reporting a speech of Henry Richard's, May, 1844, p. 115; Emerson, R. W., *Address on War*, 1838, *op. cit.*

might be emitted in every direction. Finally, the public must be convinced that the cause of peace was a necessary auxiliary to benevolent operations in general; that only in countries which were in a state of peace could reform movements be expected to prosper and bear fruit.[1]

Richard Cobden, who told the president of the London Peace Society that the serpent was as necessary in this world as the dove, advised that Peace Societies should work in the manner of the Anti-Corn-Law League and preach "common sense, justice and truth in the streets and market places." He also advised them to establish a special newspaper to advocate peace principles, and to recommend specific international reforms and urge upon governments the wisdom of non-interventionist principles and disarmament legislation. For, as the Herald of Peace also pointed out, friends of peace, no matter how cogent their arguments, are likely to be powerless unless they can suggest some practicable substitutes for war.[2]

To begin with, a few words about peace societies which, in the very year of Waterloo, owed their origin to a simultaneous movement on both sides of the Atlantic. In the United States by the end of 1815 the New York, Ohio and Massachusetts Peace Societies were in existence. In England William Allen and J. T. Price established a Society for the Promotion of Permanent and Universal Peace, commonly called the London Peace Society. Allen had tried to form such a society in 1814, but he had met with no en-

[1] The *Advocate of Peace* for: Sept., 1834, p. 101; March, 1835, p. 194; Sept., 1835, pp. 285-288; Sept., 1835, pp. 254-262; March, 1836, p. 386; Feb., 1839, pp. 200-210; May, 1843, pp. 56, 57; Dec., 1852, pp. 196-199; *Tract I of the L. P. S.*, p. 17; *Tract VI of the L. P. S.*, pp. 21, 22; Macnamara, H. T. J., *Prize Essay* (London, 1841), pp. 301, 317; Bara, Louis, *La Science de la Paix* (Paris, 1849), pp. 168, 202-210, 232.

[2] Hobson, J. A., *Cobden the International Man* (London, 1919), pp. 303, 211, 130, 122-29; *Herald of Peace*, Jan., 1839, p. 238.

couragement and was forced to wait two years for the realization of his project. To the American, Noah Worcester, more than to any other individual, belongs the credit for originating peace societies; to him and to his pamphlet entitled *A Solemn Review of the Custom of War,* which was published as the first of the London Peace Society's thirteen tracts. Associations for every sort of religious and philanthropic enterprise being quite the fashion, no one questioned the propriety of forming societies for the purpose of encouraging governments to follow a policy of peace. Only through associations could the government be reached, and only thus might the cause of peace secure the effective cooperation of Christians in every walk of life and of men of every degree of talent. Within ten years the movement had spread from the United States to Canada, and from England to Scotland. There is no estimate of the numbers of British and American societies, but such statistics, even if available, would not be particularly significant. It is worth pointing out, however, that in England most of the peace societies, of which there were 28 by 1839, were auxiliary to the national society in London; and that in the United States, after the American Peace Society was founded in 1828, the national organization gradually overshadowed the state societies with their county satellites.[1] The best general statement of the mission of peace societies, whether English or American, was made by C. S. Henry in 1834: their primary object was to create a pacific public opinion that would ultimately effect the abolition of war and substitute therefor some peaceful mode of settling national differences. To this end peace societies collaborated and multiplied.[2]

[1] *Tracts of the London Peace Society,* I, p. 17; VI, p. 22; *Sixth Report of the L. P. S.* (1822), p. 30; *Life of William Allen* (London, 1846), vol. i, p. 353; *Herald of Peace,* July, 1836, p. 2; July, 1839, pp. 336-340; *Advocate of Peace,* June, 1835, p. 222; June, 1834, p. 55.

[2] *Advocate of Peace,* June, 1834, p. 12.

Naturally enough there was great similarity between the two principal peace societies of America and England. The organization of the two, their activities and the work of their agents differed but little. In one respect, however, there was a fundamental difference. The American Peace Society advocated one cause and but one, that of international peace; whereas the London Peace Society, more radical in character, was a non-resistant society that advocated the establishment of peace and allied reforms. The A. P. S. maintained that advocates of peace would compromise their cause by insisting that non-resistance and the abolition of capital punishment are concomitant reforms, and consequently would run the risk of discrediting it altogether. Such "ultraism" can injure a good cause by embarrassing it with what does not legitimately belong to it. Accordingly when the New England Non-Resistance Society was formed late in 1838 the A. P. S. registered its disapproval and complete lack of sympathy with the new organization, in spite of the fact that several of its own members joined the N.E.N.–R.S.; and William Ladd, its renowned president, became increasingly sympathetic with the "total abstinence" principle as applied to war. The A. P. S. welcomed the cooperation of all who labored for the abolition of war, and declared that the question of war between nations had nothing to do with national policing, civil wars and revolutions, or the right of personal self-defence.[1] The

[1] The *Advocate of Peace* for: March, 1836, p. 371; Nov., 1838, p. 143; Feb., 1839, pp. 197-200; June, 1839, p. 8; and Aug., 1841, pp. 28-30; The *Herald of Peace*, July, 1837, p. 86; Coues, S. E., *Address* on War and Christianity delivered on the 14th anniversary of the A. P. S. (1842), p. 3. *N. B.*, Mr. Merle E. Curti in his recently published *The American Peace Crusade, 1815 to 1860* (Durham, N. C., 1929), has an enlightening chapter on "The Limits of Pacifism" in which he outlines the battle waged between the "conservative" and the non-resistant or "reform" elements within the American Peace Society. The "conservatives" did not win a decisive victory over the non-resistants until May, 1846; but

stand taken by the London Peace Society was the reverse of that taken by its sister society in America. Founded by a group of Quakers, the L. P. S. was avowedly a religious, even though an unsectarian body. Its members believed with the Quakers that all war, whether offensive or defensive, was utterly inconsistent with the spirit of Christianity as well as being contrary to the true interests of mankind.[1] The L. P. S. felt called upon to advocate the anti-slavery cause also, and never lost an opportunity to plead for the abolition of capital punishment; but its actual work was confined to laboring in the cause of peace. As a non-resistant association, the L. P. S. stood alone among nineteenth-century peace societies.[1]

In contrasting the American and the London Peace Societies, it is interesting to note their respective financial statements as shown in various treasury reports. In 1839, for instance, the income of the A. P. S. was $3,356.64 and its expenditure exceeded this sum by $1400. The total annual revenue of the L.P.S. in 1840 was £883 6*s*. 8*d*. (or about $4416), and it was in debt for £150 (or about $750). 1841 was a very lean year for the A.P.S. because of the death of William Ladd; but the income of the L.P.S. jumped to over £1579. In 1842 the revenue of the A.P.S. was some $1800, whereas the L.P.S. was in the lead with an income of about $3600. The constant plea of the A. P. S. was for a minimum revenue of $5000 a year, but between 1845 and 1850 its income did not reach an average of more than $3000 a

the *Advocate of Peace*, with the exception of the years 1845-1846, when Burritt was editing it under the name of "The Advocate of Peace and Universal Brotherhood," consistently reflected the conservatism of its editor, George Beckwith.

[1] The *Herald of Peace* for: July, 1836, p. 12 and January, 1838, p. 1; *The Principles of Peace* (London, 1868), Tract XII, footnote on p. 4; *The Historical Outline of the Peace Movement*, a tract of the L. P. S. (published about 1890); *Advocate of Peace*, Sept., 1834, p. 98.

year. On the other hand, the income of the L.P.S. in 1845 was £1459 6*s.* 10*d.* (about $7296), and this did not decrease even during the Crimean War—in fact it was actually greater in 1856 by almost £2000![1]

In the matter of agents and their work there was, by 1840, very little contrast between the two societies. The one real difference lay in the fact that American agents confined their attentions to the United States, whereas English agents divided their time between England and the Continent. The A. P. S. had three permanent staff members: a stationary agent, a traveling lecturer and a corresponding secretary; and in addition occasional independent friends of peace acted as local agents for the Society. To take the year 1839 for an example, agents of the cause traveled more than ten thousand miles in eleven different states and delivered over 700 lectures. During that same year the agents of the L.P.S. visited and lectured in 47 towns in England, and began operations on the Continent. Each Society had a special agent who devoted his whole time to the cause. William Ladd, the popular and indefatigable agent-president of the A.P.S. was able, in a single year, to travel 1300 miles, deliver 40 public addresses, edit 4 numbers of the Society's periodical, collect $962 in person, write numerous essays for newspapers and keep up an extensive correspondence in behalf of the Society. Stephen Rigaud, the famous foreign agent[2] of the L. P. S., made in one year a Continental tour covering twelve French, Swiss and German cities, and wound up with a three months' tour of Western England, in the

[1] *The Advocate of Peace* for: June, 1836, p. 42; June, 1839, pp. 20, 24; Feb., 1841, p. 264; Aug., 1841, pp. 29-32; (Feb., '42;) April, 1842, pp. 144, 168; Nov., '42, p. 257; Dec., 1842, p. 279 and Aug., 1851,, p. 31; *The Herald of Peace* for: July, 1840, 24th report of the L. P. S.; July, 1841, p. 313; June, 1845, p. 290; June, 1846, 30th annual report of the L. P. S.; June, 1855, p. 213; June, 1856, p. 63.

[2] The L. P. S. defined a continental agent as a lecturer, distributer of tracts, and founder of peace societies.

course of which he visited 32 towns, delivered 44 public lectures, addressed 24 Sunday schools and lay schools, and distributed countless numbers of the Society's tracts.[1]

Much of the activity of the American and London Peace Societies was concentrated in an effort to keep in close touch with each other and to extend the sphere of their joint influence. From the beginning the relations between the two societies were most friendly: the officers of one were frequently elected honorary members of the other; their representatives were often present, whether in official capacity or not, at each other's anniversary meetings; and it was through the L.P.S. that the A.P.S. received most of its information about Continental peace societies. They managed to keep in touch partly through the mutual correspondence of their secretaries and partly through an exchange of their publications. The "intelligence" columns of the periodicals of the two societies, the *Advocate* and the *Herald of Peace,* constantly refer to the fact that there was a mutual exchange of publications. For instance, between 1836 and 1839 the L.P.S. presented the A.P.S. with 4000 of their tracts, and a few years later sent the American Society a complete set of the *Herald of Peace* from 1817 to 1842. As the A.P.S. was considerably poorer than the London Society, it was not often able to send to London anything more than frequent copies of the *Advocate of Peace.* When the Prize *Essays on a Congress of Nations* were issued by the A.P.S., a proposal was made by friends of peace in London to aid in their publication, and the L. P. S. alone subscribed for 250 copies.[2]

[1] The *Advocate of Peace,* June, 1835, p. 223; June, 1839, p. 5; Aug., 1841, p. 41; June, '42, p. 159; Dec., 1842, p. 285; The *Herald of Peace,* Jan., 1840, p. 27; April, 1841, p. 281; July, 1843, p. 314.

[2] The *Calumet,* 1831 (1), p. 6; the *Advocate of Peace* for: Dec., 1834, p. 152; June, 1835, pp. 222, 248; Sept., 1835, p. 272; June, 1836, p. 41; June, 1839, pp. 6, 11; June, 1842, p. 164; Jan., 1843, p. 10; the *Herald of Peace,* Oct., 1836, p. 59; July, 1838, p. 137.

Advice and encouragement was also exchanged, and unfailing interest was shown by both alike in the activities of each other's agents.[1] When Ladd died in 1841 the L.P.S. moved a resolution of mourning and directed its secretary to write letters of condolence on the loss of America's "champion of peace" both to the A. P. S. and to Ladd's widow. When Joseph Sturge visited the United States in the course of the same year he was welcomed and entertained by a special committee of the A.P.S. Each society thought the other indefatigable in its exertions for the cause of peace, and in 1851 the A. P. S. prided itself on the fact that the L. P. S. considered the American Society entirely competent to make all necessary preparations in the United States for the annual Peace Congress which was to be held in London.[2] Nor must the friendly cooperation of the Societies be overlooked in one particular line. Whenever relations became strained between England and the United States, which was often between 1837 and 1842, the London and American Peace Societies, each in their own country, did their best to stem the rising tide of hostility and to broadcast an impartial account of the situation. And in 1845 the L. P. S. gave wide circulation to Charles Sumner's anti-war oration, and opened a correspondence with the A. P. S. on the subject of the President's speech respecting the Oregon Territory. The English and American Societies practised what they preached and did their best to get their respective countries to cooperate in maintaining peace.[3]

[1] For confirmation, *vide* the *Herald of Peace* and the *Advocate of Peace*, 1839-1853, annual reports and correspondence.

[2] The *Advocate of Peace*, June, 1839, p. 4; Dec., 1841, p. 91; Sept., 1851, p. 125; the *Herald of Peace*, July, 1836, p. 4; June, 1847, p. 279; Sturge, J., *A Visit to the U. S. in 1841* (Boston, 1842), pp. 173, 174; Macnamara, H. T. J., *Prize Essay, op. cit.*, p. 286.

[3] The *Advocate of Peace*, Sept., 1835, p. 277; Dec., 1839, p. 92; Nov., 1842, p. 263; Sept., 1845, p. 103; the *Herald of Peace*, 1841, April, p. 343; July, p. 311; Pierce, Edw. L., *Memoir and Letters of Chas. Sumner* (Boston, 1893), vol. ii, pp. 370-383.

Another point of interest is the amount of space devoted by the *Advocate of Peace* and the *Herald of Peace* to the reprinting of various articles written for the A.P.S. and the L.P.S. respectively, and to the *verbatim* reports, including extracts from speeches, of the annual meetings of the two societies. The *Advocate* explained that one reason for so doing was the fact that American journals in general took very little interest in peace societies and their proceedings: "Perhaps the cause of peace is regarded as not sufficiently religious, by religious journals, and as not sufficiently patriotic, by the political journals. Perhaps it is regarded as chimerical." [1] Whatever the reason or reasons, the fact remains that everything of interest or importance touching the cause of peace in England was reported in America, and *vice versa*. And the *Herald of Peace* borrowed even more freely from the *Advocate* when it came to a question of reprinting essays and addresses. A glance at the files of the *Herald* from 1836 to 1844 will corroborate this statement, and show how many articles therein are signed by anonymous Americans, as well as by well-known American friends of peace such as S. E. Coues and A. P. Peabody.[2]

The American and London Peace Societies coöperated to promote the peace movement of the Continent so far as it was practicable for them to do so, but they found it uphill work. A French Peace Society, La Société de la Paix de Paris, was founded in 1844 and elected the American, Judge William Jay, its honorary president; but until then the only genuine peace society in Europe was in Switzerland. The Comte de Sellon founded the Geneva Peace Society in 1830, and even after his death nine years later the Geneva Peace Society continued to be an active and enterprising body. La Société de la

[1] *Advocate of Peace*, Sept., 1835, p. 269.

[2] *Advocate of Peace*, Oct., 1841, p. 45; *Herald of Peace*, 1836 to 1844, and, in particular, Oct., 1842, pp. 167-169; Jan., 1844, pp. 1-12.

Morale Chrétienne, founded in Paris in 1821 for the purpose of promoting various and sundry humanitarian reforms, was only interested in peace as a side issue. Its founder, the Duc de la Rochefoucault-Liancourt, reported that during the year which ended in June, 1843, twenty-four works in Italian, German, English and French on the question of peace had been presented to his society. But that was due to the fact that Stephen Rigaud, who had formed peace committees in several continental cities and had also been instrumental in forming a special peace committee of the Société de la Morale Chrétienne, had offered in behalf of the L. P. S. prizes of 1000 and 250 francs each for the two best prize essays which should be written to prove the evil of all war and to suggest a way of adjusting international disputes preparatory to the establishment of universal peace. The A.P.S., far removed from the scene of action, found difficulty in communicating with continental peace societies except through the medium of the L. P. S., but it did keep up in this indirect fashion, and on several occasions corresponded directly with both the Geneva Peace Society and the Society of Christian Morals; and its delegates joined with delegates of the L. P. S. in attending peace meetings on the Continent.[1]

There is no doubt that the L. P. S., and especially the A. P. S., were more internationally-minded, less narrowly national and limited in their interests and activities in the mid-nineteenth century than they are today.[2] Of course, this

[1] The *Advocate of Peace*, June, 1834, p. 12; Sept., 1834, pp. 103, 104; Dec., 1834, pp. 146-151; June, 1835, pp. 249, 250; June, 1840, p. 157; Nov., 1842, p. 258; Aug., 1844, p. 237; *Sixth Report of the L. P. S.*, 1822, pp. 15-28; the *Herald of Peace*, Oct., 1839, pp. 370-372; Jan., 1842, pp. 18, 19; Jan., 1843, p. 263; July, 1843, p. 314; June, 1847, p. 279; *The Times*, 27 June, 1843. Report of the fourth meeting of the London Peace Convention.

[2] This statement is partially based on conversations with Mr. H. S. Perris of The Cobden Club and with Mr. A. D. Call, secretary of the A. P. S.

is partly to be explained by the fact that today there are a variety of international societies whose activities tend to crowd out the national societies and limit their scope. In this earlier period the national peace societies had the field to themselves and could expand their activities and international interests as they saw fit, without fear of trespassing on other associations.[1]

The international peace congresses, considered as an offshoot of the peace societies, were also important "radiating centres" for organized peace work. Friends of peace realized that unless they advertised their ideals and aims it would be impossible to widen the scope of their activities. Before attempting to convert people they must furnish them with full information as to the significance and general bearing of their proposed reform. So they took the obvious step of convoking international congresses, the first of which was held in 1843. There were six of them in all, the sixth and last being held ten years later, the year before the outbreak of the Crimean War. These congresses had other objects in view in addition to broadcasting information about the peace movement. Their organizers desired to further the active coöperation of the peace societies, extend their joint sphere of influence and, above all, to furnish a common platform for all advocates of peace, extremists and moderates alike. By means of frank discussion ideas might become clarified and united action could be initiated in behalf of practical propaganda and peace plans. The congresses were held in an interval of European peace, not to proclaim the advent of the millennium, as was charged by their detractors, but rather to capitalize a period of international calm by urging upon both governments and people the advantages of peace and the necessity of providing substitutes for war if the period of peace was to be prolonged. They were intended

[1] See note 2 on preceding page.

to give an opportunity for deliberation upon the best means of preserving peace and to guide and stimulate friends of peace throughout the world to labor therefor in their respective countries.[1]

The first congress, or London Peace Convention as it was called, was held at the Freemason's Hall in June, 1843, and lasted four days with eight or nine-hour sessions each day. Joseph Sturge had proposed, during his trip to the United States in 1841, that a general conference of friends of peace from different countries should meet in England. For two years the American and London Peace Societies worked hard to carry out his suggestion. In the United States and England notices were put in newspapers and periodicals, and circulars were sent to all correspondents of the peace societies. On the Continent, French copies of the program of the proposed convention were sent to popular journals and the Committee of the London Peace Society wrote to individuals in over twenty French, German, Scandinavian and Spanish cities to solicit their coöperation.[2] When the Convention assembled about half of its 337 official delegates were in actual attendance. Of these, only six were from the Continent, and the delegates from the United Kingdom outnumbered those from the United States eight times over. They were, as Greeley remarked about the delegates of the 1851 Peace Congress, of the bourgeoisie rather than of the aristocracy; an instance of the "popular and plebeian" character of the nineteenth-century reform movements. Each meeting opened with prayer and the speeches were

[1] *Advocate of Peace*, Oct., 1843, p. 111; "Facts ... on War, Peace and Arbitration" published by the L. P. S., 1872, p. 59; Richard, H., *Memoirs of Joseph Sturge* (London, 1864), pp. 426, 427.

[2] *Advocate of Peace*, Oct., 1841, pp. 66, 67; June, 1842, p. 164; Nov., 1842, pp. 256, 257; Oct.-Nov., 1843, pp. 109-113; *Herald of Peace*, Aug., 1843, p. 408.

brief. Interest centered in the discussions, which were animated and which, going on the assumption that war is unchristian, were directed to the single object of devising some means of preserving peace. Charles Hindley, M.P., presided; the proceedings, with a single exception, were entirely harmonious; and all resolutions were carried unanimously. At the close of the Convention a public meeting was held in Exeter Hall which was attended by 2000 people.[1]

Five years went by before another general conference was assembled. Burritt said that this second peace convention, inspired by the French Revolution of 1848, was to have been held in Paris. But this proving impracticable, it was convened at Brussels instead, and presided over by the eminent Belgian, Auguste Visschers. This peace convention, held in September, 1848, was more international in its composition than its predecessor. Owing to the fact that it met on the Continent many French, German and Dutch delegates were present in addition to about 150 from Great Britain. Charles de Brouckere, who had presided over the Free Trade Congress of 1847, sent twenty-five reports of its proceedings to the Peace Congress together with a letter in which he assured friends of peace that they had the sympathy and support of all free-traders. But the most noteworthy event of the second Peace Congress was the letter written by Richard Cobden and read to the assembled delegates by Joseph Sturge. Cobden refused to commit himself as to the wisdom of attempting to establish a congress of nations, but he strongly advised that governments be encouraged to enter into arbitration treaties, and pleaded for proportionate and simultaneous disarmament. This letter was important because wide publicity was given to Cobden's arguments and

[1] *Advocate of Peace*, Sept., 1843, p. 97; Oct., 1843, pp. 112-114; Nov., 1843, pp. 126, 127; Jan., 1844, p. 153—(extracts from report of the L. P. S.); Greeley, H., *A Glance at Europe* (N. Y., 1851), p. 279.

to his statistics illustrative of the burden of European armaments.[1]

In August, 1849, the third and most famous of the peace congresses met in the historic Tennis Court at Versailles. It was famous, not only because Victor Hugo presided, but also because the French Government took an active interest in it, and because its distinguished delegates included such men as Cobden, Henry Vincent, Bastiat, de Girardin, de Cormenin, the Abbé Deguerry and, from the United States, Amasa Walker, President Mahan of Oberlin College and President Allen of Bowdoin College. The Anglo-American delegation alone numbered seven hundred; and in addition there were some French, Belgian, German and Italian friends of peace. The Peace Societies did some vigorous campaigning for this Congress and created as much interest as possible by holding public meetings and preparatory lecture tours. The London Peace Society made a drive for £5000 to cover expenses; Burritt and Richard visited Paris to get the support of French liberals; and the American Peace Society arranged with a Boston shipping firm for the transportation of the Americans, securing individual round-trip tickets for one hundred dollars each. The French Government was conspicuous for the generosity of its response. English and American delegates were given freedom of the customs; passport regulations were suspended in their favor; all public buildings such as museums were open to them free of entrance charge; and the fountains at Versailles were played for their special benefit. After the close of the Congress following-up meetings were held in England, the two most important of which were at Birmingham and Manchester.

[1] Official *report* of the *Peace Congress at Brussels*, 1848 (published in *Reports of the Peace Congresses*, London, 1861), *passim* and pp. 2, 19 and 20 especially; Burritt, E., *Works* (Boston, 1869), p. 176; Burritt, E., *Autobiography* (Boston, 1874), p. 24.

At the former Cobden and Bright addressed some 6000, at the latter almost 8000 people.[1]

The Paris Peace Congress was the high water-mark of the peace movement. Not again during the mid-century did advocates of peace command so much respect, nor their cause acquire so much popularity as in 1849. For the next few years there were annual international meetings, but they made progressively less stir. The Peace Congress of 1850, which met at Frankfort, was vigorously advertised. Burritt toured most of the United States, and Burritt and Richard together visited German and other continental cities. Most of the distinguished men who attended the Paris Congress were also members of the Frankfort Congress, but, even so, less general interest was shown in its proceedings. Possibly one reason for this was that the place of meeting was in a German city. The Peace Congress of 1851 was held in London and presided over by Sir David Brewster, but though the United States, France, Germany and Belgium were well represented, the Congress was distinctly overshadowed by the Great Exhibition of Industry which was going on at the same time. However, Greeley who was present stated that there were between 800 and 900 delegates, and that Exeter Hall, which was supposed to hold 3500 persons comfortably, was filled. He also noted the very democratic tone of the addresses and spoke with interest of the fact that fifteen French workmen who had come over for the Exhibition attended the Congress on its third and last day in order to testify to their sympathy with the peace movement. The next Peace Congress was not held until January, 1853, a month after the *coup d'état* of Louis Napoleon, and it amounted to little more than a national

[1] Burritt's *Autobiography, op. cit.*, pp. 26-29; *Herald of Peace*, Feb., 1849, pp. 254, 255; June, 1849, p. 318; Dec., 1849, p. 413; Miall, C. S., *Henry Richard, M.P., A Biography* (London, 1889), pp. 36-60.

peace meeting. The same may be said of the Edinburgh Peace Congress which was held in October of the same year, although invitations to it were signed by 140 English friends of peace including fourteen Members of Parliament. The only popular feature of this last Congress was the debate between Cobden and Sir Charles Napier on the possibility of putting down war by war. The Anglo-French crisis of 1852 and the strained international relations caused by the Balkan situation the following year account largely for the waning popularity of peace questions. At all events, the Crimean War put an end to the era of international peace congresses, in spite of the seventh resolution of the Manchester Peace Congress to the effect that a continental peace congress should be convoked.[1]

The documents prepared for the Peace Congresses as well as the resolutions passed during their annual sessions are interesting in that they give an idea of the ground covered by this department of peace work. The papers read before the London Peace Convention of 1843 are fairly typical of this variety of peace document. H. T. J. Macnamara, in his lecture on "The Best Practical Means of Peace," touched upon the necessity of influencing and educating public opinion through peace literature and instruction in schools; also on the desirability of appealing to legislatures to adopt substitutes for war. He also made a plea for free trade, and insisted that the overthrow of "the war spirit" and the abolition of compulsory military service were as important to international reform as was the establishment of a congress of nations and a system of arbitration. J. P. Blanchard, general agent of the American Peace Society, in a speech "On Prepara-

[1] *Herald of Peace*, Jan., 1851, p. 81; Sept., 1853, p. 269; *Burritt's Works, op. cit.*, p. 176; *Burritt's Autobiography, op. cit.*, pp. 33, 34, 40-43; Greeley, H., *op. cit.*, pp. 279-282; *Advocate of Peace*, May, 1853, p. 277.

tion for War," attempted to refute the doctrine that a nation must be prepared for war in order to preserve peace. The Duke de la Rochefoucault-Liancourt discoursed on the close connection between war and the increase of crime. He claimed that French civil court records in 1840 showed that criminal charges and convictions had increased seven per cent as a result of the mere rumor of war. There were several addresses to Christian ministers and teachers on the sinfulness and impolicy of war; also a mass of statistical material on the moral condition of the army and navy, the existing state of armaments, expenses of wars, comparative national revenues and debts—all of which might be called, after the manner of John Allen's survey, the statistics of war. But in this connection no one of these statistical documents made so great a sensation as Cobden's speech at the Peace Congress of 1851 on the demoralizing influence of armies on the people among whom they are quartered. Greeley said of this speech that, were these facts to become generally known, he believed that "Christians, Moralists and Philanthropists" would demand the "entire disbandment and dispersion of every standing army." [1]

The resolutions of the Peace Congresses may be summarized as follows. The first four Congresses, those of 1843, 1848, 1849 and 1850, all drafted special resolutions to condemn war on the ground that it was unchristian and contrary to the true interests of mankind. All but one of the Congresses advocated some form of peace propaganda and, by 1850, had stereotyped a formula which proposed the multiplication of peace societies; the use of the press, the pulpit, the platform and the schoolroom to aid in abolishing war and in eradicating hereditary, political and commercial causes of war. All seven of the Congresses urged

[1] Greeley, H., *op. cit.*, pp. 282, 283; *Advocate of Peace*, Sept., 1843, pp. 101, 102; Oct., 1843, pp. 114-116; March, 1844, p. 177.

the reference of each and every international dispute to arbitration. The first three Congresses agreed that arbitration was useful, primarily, to prepare the way for the establishing of a Congress of Nations; and they resolved that a Congress be assembled to draft a code of international law and to create a High Court of Nations. The Congresses of 1850 and 1851 were silent on the subject of a congress, but emphasized the imperative necessity of having a practicable code of international law. The London Peace Convention of 1843 condemned all preparations for war and the selling of arms and munitions. The succeeding congresses passed resolutions in favor of "general and simultaneous disarmament," and the Manchester Peace Congress of 1853 resolved to offer £400 for a prize essay on the evils of the standing armaments of Europe. Some of the Congresses advocated measures auxiliary to peace, such as free trade; the London Peace Convention favored temperance, and the Frankfort Congress passed a resolution against duelling. The London Congress of 1851 resolved that the Great Exhibition and all similar undertakings were an encouragement to active peace sentiment. The Paris and Edinburgh Peace Congresses passed resolutions in favor of improving international communication by means of postal reform and the universal adoption of a uniform standard of weights, measures and coinage. With a view to diminishing the number of wars, the Frankfort, London, Manchester and Edinburgh Congresses protested against intervention in the internal affairs of states. And the London Congress of 1851 passed a resolution against aggressive wars and the exploitation of natives of backward lands. The Peace Congress of 1851 also resolved that peace societies in all constitutional countries should use their influence to get friends of peace returned as representatives to all parliaments and congresses in order to secure votes for the decrease of armaments and war ex-

penditure. The Paris Peace Congress initiated a resolution against all loans and taxes to prosecute wars of ambition and conquest. At Frankfort the scope of this was widened to include loans for all wars; and the London Congress, going still further, condemned all loans for war purposes and for the maintenance of armaments. The first resolution in favor of resisting threatened war or protesting against actual wars was passed in 1843. Ten years later the Manchester and Edinburgh Congresses revived and extended this principle. Lastly, the London Peace Convention passed a unique resolution in favor of establishing a Daily International Peace Journal at Paris. The Convention was indebted for this suggestion to George M. Gibbes, an American who had long resided in Paris. His idea had been to start a paper for the purpose of educating the continental mind along peace lines and to prepare the way for the establishment of a congress of nations. This journal was to be controlled either by the Anglo-American and French Peace Societies, or by distinguished friends of peace; Henry Wheaton, the United States Minister to Prussia, John Bowring, M.P., and Alphonse de Lamartine were to be appointed its directors; and a fund was to be raised which should provide 600 shares at 1000 francs each for running expenses until the journal should become self-supporting.[1]

There is no need to give details as to the way in which the Peace Societies acted on the resolutions of the Congresses. The following section on peace propaganda shows how they worked; but it may be said in general that, as a result of the Peace Congresses, every outlet for propaganda was fully utilized. The Societies set to work to increase the numbers of their publications, of their lectures and of their

[1] Resolutions of the Peace Congresses, printed in the *Reports of the Peace Congresses* (London, 1861), *passim*; *Advocate of Peace*, July, 1842, p. 189; Oct., 1843, pp. 117-122. May, 1853, pp. 276, 277; Aug., 1844, p. 231.

public meetings. New auxiliaries were formed, the most important of which was the second New York Peace Society. Certain Peace Congress documents were printed as tracts; a special effort was made to get newspapers to publish articles on peace; and petitions and memorials were presented to the Legislatures of Great Britain and the United States, in season and out of season.[1] An Address to the Governments of the Civilized World recommending the insertion of stipulated arbitration clauses into all treaties was drawn up by the London Peace Convention and forwarded to fifty-four governments. Personal audiences were granted to the bearers of this Address, first by Sir Robert Peel, and later by the Kings of Belgium and France, and the President of the United States. And the American Peace Society sent an additional circular to the governors of the twenty-six States of the Union on arbitration as a stipulated substitute for war. In 1849 Victor Hugo drew up an Address to the Peoples of Christendom in which was urged the organizing of peace by means of arbitration, proportionate and simultaneous disarmament and a Congress of Nations; and this was presented to Louis Napoleon in behalf of the Paris Peace Congress by a committee of the French delegates.[2]

What the *Advocate of Peace* said of the London Convention may well be applied to the whole series of Peace Congresses. Their resolutions all pointed to something practical to be done, and were followed up by corresponding action in so far as it was possible for a very small minority to execute the decisions and suggestions of an unofficial body. The Congresses were chiefly important in that they resulted

[1] *Cf.*, for an example of increased activity along these lines, the *Advocate of Peace*, Dec., 1843, pp. 140-143; March, 1844, p. 180; April, 1844, pp. 188-190; June, 1844, p. 205; Aug., 1844, pp. 229-232.

[2] *Advocate of Peace*, Oct., 1843, pp. 123-125; April, 1844, p. 192; June, 1844, pp. 222-224; Aug., 1844, p. 229; Burritt's *Autobiography, op. cit.*, p. 28.

in more effective cooperation among friends of peace and, in the words of the Sixteenth Annual Report of the American Peace Society, "showed them their strength, assimilated their views on nearly all points of practical importance, and thus prepared the way for more harmonious and effective action." [1]

### PEACE PROPAGANDA

Between 1828 and 1841 peace societies worked out the technique of their propaganda and initiated their campaign to convert individuals. The most practicable way to work was, as has been indicated, to use the methods of other reform societies, preferably of the Temperance Societies which were most efficiently organized. In general, the primary object of all their propaganda was to diffuse information with a view to enlightening public sentiment; to formulate a creed; and to educate people to the point where they would pledge themselves to live according to that creed. Or, to be more specific, to compile and broadcast "statistics of war"—facts which illustrate its conditions and its evils, which show its futility, and at the same time indicate the nature of remedies that could be used to check evils, the existence of which usually lead to war. Next, to embody enlightened sentiment in action; to increase the numbers and efficiency of peace societies in order to focus the demand for peace; and then to bring pressure to bear on the governments, because governments and people must coöperate if peace is to be maintained.[2]

[1] *Advocate of Peace*, Nov., 1843, p. 126; Sixteenth Annual Report of the American Peace Society, printed in the *Advocate of Peace*, July, 1844, p. 221.

[2] *Herald of Peace*, August, 1836, pp. 17-21; Sept., 1836, p. 37; *Advocate of Peace*, June, 1844, p. 206; Curti, M. E., *The Movement for International Peace in the U. S.* (dissertation for Harvard University, 1927), p. 111.

Naturally enough, the campaign included public speaking in its program. To judge by the countless reports thereof in the *Advocate of Peace* and in the *Herald of Peace,* peace workers appear to have spent most of their time addressing public meetings. Take, for example, the Twenty-ninth Annual Report of the London Peace Society in which it was stated that more than 265 lectures and meetings had been held, that they were attended by upwards of 64,000 persons, and that 6,000 signatures had been obtained for the Society's declaration that war is inconsistent with the spirit and precepts of Christianity. Contributions were usually solicited after peace meetings, although discriminating agents such as Ladd realized that the cause would not be materially advanced by asking new converts for money.[1] These lectures occasionally resulted in the spectacular conversion of some individual, or in arousing some person to undertake, unaided, the conversion of a particular town or district. But generally speaking, the chief value of public meetings lay in their stimulus to thought on the subject of peace, and in their preparation, direct or indirect, for certain specific peace efforts. However, they also gave an opportunity for the making of miscellaneous suggestions.[2] The following are a few of the proposals that were acted upon. Charles Hindley, a member of Parliament, was confident that the London Peace Society could and therefore ought to try to procure some alteration in the army recruiting regulations so that the practice of tricking youths under twenty-one years of age into enlisting might be abolished. The L. P. S. not only took up this matter, but also made an apparently successful protest against the enlistment of pauper children

[1] *Herald of Peace,* June, 1845, p. 291; *Advocate of Peace,* Feb., 1839, p. 216.

[2] *Advocate of Peace,* June, 1836, p. 48; Feb., 1842, p. 112; Nov., 1842, pp. 261-263.

into the army. Again, when the regimental colors of the Seventy-second Highlanders were consecrated, the London Peace Society did its best to open the eyes of the public to the "insult" thus offered to Christianity. In 1845, when the question of increasing the armament of Great Britain came up for debate in the House of Commons, the Society sent a lithographed circular letter to every member of Parliament giving nine reasons against any increase of the naval force of England. Such a letter was closely akin to a petition, so perhaps it should be classed as one, and petitions were used to such an extent by the peace societies of both England and the United States that they are dealt with herein separately. (*Cf. infra*, pp. 81-85.) Another measure taken by both the London and American Peace Societies was the instituting of special peace Sundays. By 1845 in England, and even earlier in America, the active coöperation of Christian ministers was sought. On some given Sunday, at least once a year but more often if possible, as many ministers as could be got to pledge their allegiance were to agree to preach a peace sermon; the sermon in every case was to be followed up by a concert of prayer and, when practicable, a collection was to be taken up for peace societies. The above are, of course, only samples of the kind of miscellaneous work that was done by peace societies.[1]

An interesting auxiliary to the peace societies was the League of Universal Brotherhood, an Anglo-American association founded by Elihu Burritt early in 1846. This association had its own periodical, the *Bond of Brotherhood*, plus a distinctive set of current tracts known as *Olive Leaves*. Burritt's work for this League centered in England which he divided into twelve League Districts. He made extensive

[1] *Advocate of Peace*, Dec., 1841, p. 81; *Herald of Peace*, July, 1841, p. 317; June, '45, p. 292; April, 1842, pp. 79-92; March, 1845, p. 248; Pamphlet of the *L. P. S.*, by W. Evans Darby (1904).

lecture tours in its behalf, formed Olive Leaf Societies in England, Scotland and Ireland, presided over quarterly meetings in London, and endeavored to interest people in establishing an Ocean Penny Postage. (*Cf. infra*, p. 78.) After the Peace Congress of 1848 the League of Universal Brotherhood was merged with the London Peace Society, but even so its ex-secretary, Edmund Fry, remained active along the special lines of the League, and he and Burritt revived the Olive Leaf System in 1850. Anyone over twelve years of age, male or female, of any nationality or color, was eligible for membership in the League; and the only membership qualification was the signing of a threefold pledge. Its members had to promise never to enlist in any kind of fighting force; they bound themselves to associate with all other signers of the pledge, whatever their country, condition or color; and they agreed to work for the abolition of all restrictions between nations and the overthrow of all institutions and customs contrary to Freedom, as well as for the abolition of war. The weakness of such a pledge is obvious: it was too inclusive, and amounted to a triple free-trade, anti-slavery and anti-war resolution. For this reason the League of Universal Brotherhood was anything but popular amongst protectionists in England and slave-holders in the United States. Its best work was done on the Continent in preparing the way for the holding of international peace congresses.[1]

In England a special effort was made to enlist the working classes in the crusade against war; but little headway was made in that line at first because, until 1882, the lower middle and industrial classes were not articulate, politically speaking. Cobden, Bright and Burritt were perpetually pointing out that war is harder on the working classes than on any

[1] Burritt's *Autobiography* (Boston, 1874), pp. 19-42; *The Herald of Peace*, Oct., 1846, p. 153; Oct., 1847, p. 360.

other section of the community; that the people pay in money, through increased taxation, as well as in blood; that they reap neither the honors nor the emoluments of war—only its miseries. The first outward and visible signs of interest were shown in January, 1845, when the members of "The National Association for Promoting the Political and Social Improvement of the People" addressed a resolution to the working classes of France in which it was suggested that the workers of France and England should "respectfully present" their respective legislative bodies with a "solemn protest against all war" and urge the wisdom of devoting to popular education and improvement the enormous sums annually dedicated to war expenditure. In the course of the next year the Oregon Question threatened war between England and the United States and this method of expressing popular anti-war sentiment was again resorted to. One Joseph Crosfield published an appeal in *The Manchester Times* to the merchants of Lancashire, calling upon them to transmit a "Friendly Address" to the merchants of the United States. This appeal led to a general exchange of International Addresses between cities and citizens of England and America. The backing given to them was considerable, one of the addresses receiving as many as 1600 signatures. The movement was started without any suggestion from the peace societies, but they were quick to follow a good lead, and coöperated by petitioning the Governments of Great Britain and the United States to enter into an arbitration treaty. Again, at the time of the Anglo-French crisis of 1852, the revived League of Universal Brotherhood sponsored the friendly addresses that were sent from Manchester to Marseilles, Liverpool to Lyons, Birmingham to Bordeaux, Bristol to Brest, Leeds to Lille, Sheffield to Strasbourg, and from London, Edinburgh, Glasgow and Dublin to Paris. Of these, the Glasgow address alone bore 4000 names. By

1867, with the calling of the first workers' "parliament", Burritt felt justified in prophesying that the workingmen of Christendom would organize a "magnificent" strike against war and the armed peace system. The subsequent spread of Marxian internationalism proved him to have been not entirely wrong, as did the fact that in 1873 1,038,000 English workingmen petitioned for Henry Richard's motion in the House of Commons that a general and permanent system of arbitration be established.[1]

Peace literature of various kinds formed one great channel for peace propaganda. The peace societies undertook to flood Christendom with publications in order to drive home the urgency of the need for practical peace measures. Periodicals, prize essays and tracts, some of which were translated into French, German and Italian, increased in number year by year. In 1836 the Connecticut Peace Society stated that its operations for a year past had, "as usual", consisted chiefly in the publication of works on peace. During this same year 14,000 copies of the *Advocate of Peace* were issued, and four years later the A. P. S. announced 2,000,000 pages of tracts for one year's publishing quota. Between 1816 and 1840 the London Peace Society issued a total number of 1,208,650 publications, and during the single year 1846 printed upwards of 560,000 tracts, 15,000 of which were in French.[2]

[1] Cobden's *Political Writings* (London, 1878), p. 19; Bright's *Public Letters* (London, 1885), pp. 213, 214; 195, 196; 292, 293; Burritt's *Autobiography* (Boston, 1874), pp. 38-42; 159, 160; 259-272; Richard's *Memoirs of Joseph Sturge* (London, 1864), p. 401; the *Herald of Peace*, Jan., 1845, p. 218; June, 1846, p. 87; Sept., '46, p. 140, Dec., '46, p. 180; the *Advocate of Peace*, Feb., 1842, p. 113; *3 Hansard*, ccxvii, p. 54.

[2] *Advocate of Peace*, June, 1834, p. 11; June, 1836, p. 43; June, 1839, p. 4; June, 1840, p. 153; *Herald of Peace*, July, 1840, p. 108; June, 1846, p. 84. *Note:* as early as 1834 the L. P. S. appropriated £100 to print tracts in French and circulate them in France. *Vide*, the Eighteenth Annual Report of the L. P. S. printed in the *Advocate of Peace*, Dec., 1834, p. 146.

As to the broadcasting of this kind of literature, individuals subscribed for many of the periodicals; but a greater number were sent, both in England and the United States, to judges, to members of national legislatures, of state departments, and of cabinets. Quantities of tracts were sent to university libraries, and were distributed on special occasions such, for instance, as that of the coronation of Queen Victoria. On this occasion the London Peace Society presented "handsomely bound" copies of the *Principles of Peace,* translated into French, to each of the ambassadors extraordinary who attended the ceremony. That same year the sales and distributions of the Society amounted to more than 36,000 copies of the *Herald of Peace* and standard tracts.[1]

Peace societies early realized the necessity for a special peace periodical. No other cause or reform had so real a need for a reliable periodical, for the peace movement was little understood and newspapers, even religious ones, were primarily interested in other reforms. Also, at critical moments in the affairs of nations, when sane and pacific articles were especially needed, it was most difficult to get anything published on the subject.[2] Disagreement as to the requirements of a peace periodical led to occasional changes in the size and the frequency of their publication. The London Peace Society decided in 1836 to publish the *Herald* every month; by 1846 it averaged sixteen pages a number and cost two pence, unstamped. In 1850 a new series of the *Herald* was begun, double its original size, at a cost of three

[1] *Advocate of Peace*, June, 1835, p. 248; Dec., 1835, p. 340, *Herald of Peace*, July, 1837, p. 81; Oct., '38, p. 156; July, 1840, p. 109.

[2] *Advocate of Peace*, June, 1836, pp. 5-17; Aug., 1841, p. 25. The first daily peace newspaper, the *Morning Star*, was not published in England until after the Crimean War. There is no record of a daily peace paper in the United States.

pence, to meet an increased demand. The American Peace Society, after experimenting first with the *Harbinger of Peace* and then with the *Calumet,* finally settled down to the *Advocate of Peace* which was similar in most respects to the *Herald,* although less religious in tone.[1] After 1839 the *Advocate* was issued either once a month or every other month, according to the whim of its editor and the state of the Society's funds. It was a compromise between the small-sized *Harbinger* and the triple-sized periodical which was urged by some members of the A. P. S. And after 1841 an effort was made to increase the variety of its articles, to devote more space to its foreign correspondence and to give even more space to the activities of the American Peace Society in the United States.[2] Care was taken by both the A. P. S. and the L. P. S. to give full accounts of all international crises or war-scares, to illustrate general principles by specific incidents, to show in particular cases that there is never any moral necessity for war, and to denounce any and all contemporary wars.[3] In addition, certain newspapers, "coadjutors" as they were called by the A.P.S. and the L. P. S., were classed as peace journals. In the United States, the *Christian Mirror;* in England, the *Newcastle Peace Advocate and Correspondent;* in both countries, *Peace Almanacks.* And for both countries there was a weekly paper called *The Christian Citizen* which Burritt started before 1845 to keep the English-reading public in touch with

[1] *The Advocate of Peace* was first issued as *The American Advocate of Peace* because the *Calumet* had merged, in 1835, with a quarterly periodical of that name, the organ of the Connecticut Peace Society.

[2] *Herald of Peace,* 1836-1847, *passim,* and June, 1850, p. 499; *Advocate of Peace,* Aug., 1841, pp. 27, 28; *The Calumet,* May, 1831, pp. 1, 8.

[3] *Advocate of Peace,* June, 1836, pp. 10-17; May, 1847, p. 54; Jan., 1848, pp. 145-157; *Herald of Peace,* 1846-1847, pp. 49, 65, 67, 174, 266, 346.

the state of the cause and the progress of the peace movement.[1]

However much peace societies may have relied on their periodicals for the diffusion of information on the subject, they counted on a few Peace Classics to present their arguments and defend their principles. The first of their standard publications, a volume of some 450 pages called *The Principles of Peace,* was a collection of the first thirteen tracts of the London Peace Society. These tracts were designed to prove the "contrariety" of all war to the moral precepts of Christianity, to illustrate the crimes and miseries for which war is responsible, and to show the disillusionment and secret remorse which visits the prime instigators and agents of war. *The Principles of Peace,* intended for general peace propaganda, was best adapted to the use of the London Society, especially the three non-resistant tracts written by Gurney, Clarkson and Dymond.[2] Because of the

[1] *Advocate of Peace*, June, 1835, p. 231; March, 1844, p. 180, *Herald of Peace*, April, 1843, p. 307; Jan., 1845, p. 219.

[2] *Herald of Peace*, July, 1837, p. 96; *The Principles of Peace*, published by the L. P. S., 1831-1868. The following are the tracts included (13):

I. *Solemn Review of the Custom of War*, by Noah Worcester.
II. "*War* Inconsistent with the Doctrine and Example of Jesus Christ."—by J. Scott.
III. "*Essay* on the Doctrines and Practice of the Early Christians as they Relate to War."—By Thomas Clarkson.
IV. Extracts from the Writings of Erasmus.
V. Labaume's Narrative—*Sketches of the Horrors of War* (1812).
VI. *On Universal Peace*—by David Bogue (1813).
VII. "Observations on the Applicability of Christianity to the Conduct of States and on the Limitations which those Principles impose on the Rights of Self-Defence."—By Jonathan Dymond.
VIII. "Examination of the Principles which are considered to Support the Practice of War."—By a Lady.
IX. "The *Principles of Peace* Exemplified in the Conduct of the Society of Friends in Ireland, during the Rebellion of the Year 1798."—By Thos. Hancock.

ultra-religious tone of this collection of tracts, several American works were preferred by most friends of peace. T. C Upham's "Manual of Peace" and Judge Jay's two works, the first "On the Evils of War, and its Remedy," the second on "War and Peace," were especially popular. Upham's work, which outlined the evils of war and proposed the establishment of a Congress of Nations, was considered by the London Peace Society to be the best manual upon the whole subject which had ever been written. Likewise, the London Society thought so highly of Jay's works and of his plea for arbitration that it printed 4000 copies of the "Evils of War" and republished "War and Peace" in order to send a copy to every Member of Parliament and to all foreign ambassadors. And this was in spite of the fact that it did not endorse "all the sentiments" of either writer.[1] When Sumner delivered his Fourth of July Oration on "The True Grandeur of Nations" in 1845, its reception on both sides of the Atlantic was unparalleled. The American Peace Society printed three editions, the first of which numbered 4000 copies. In London the Oration ran through five or six editions; and the London Peace Society presented 850 copies to various magistrates, ministers and merchants; in Liverpool the Peace Society published an edition of 7000.[2] Other

X. *Historical Illustrations of the Origin and Consequences of War.* —By a Lady (authoress of Tract VIII).

XI. *Reflections on the Calamities of War, and the Superior Policy of Peace.*—By M. Necker. (Translated from the French of a treatise "On the Administration of the Finances.")

XII. *An Essay on War,* "and on its Lawfulness under the Christian Dispensation."—By J. J. Gurney.

XIII. *Obstacles and Objections to the Cause of Universal Peace Considered.*—By a Layman.

[1] *Advocate of Peace,* Nov., 1842, p. 258; *Herald of Peace,* July, 1842, p. 122; July, 1843, pp. 316, 359.

[2] Pierce, E. L., *Memoir and Letters of Charles Sumner, op. cit.,* p. 362; *Herald of Peace,* June, 1847, p. 276; S. A. Allibone's, *Dictionary of Authors.*

works, of less intrinsic merit, were prized in that they filled some particular need. Joseph Sturge's account of his "Visit to the United States in 1841," and the still earlier "Letters from an American," were highly recommended by peace societies because it was thought that, if widely read, they would tend to promote friendlier feelings between Englishmen and Americans. Campbell's "Martyr of Erromanga, or the Philosophy of Missions," was also a favorite because it stressed the closeness of the connection between peace and Christianity. For the same reason the works of the ministers Chalmers and Robert Hall, and especially the sermons of Dr. Channing, were even more in demand. Also the *Letters* of Captain Thrush because they were the work of a naval officer who had resigned his commission on becoming converted to extreme peace views.[1]

Last but far from least come the "Prize Essays"—at that time a novel form of propaganda. *Punch* made fun of the prevalent "rage" for writing prize essays, and by so doing testified indirectly to their importance. About 1830 both the American and the Geneva Peace Societies had set the fashion by offering prizes, the former for the best essay on a congress of nations, the latter for an essay on the best means of establishing general and permanent peace. In 1836 permanent funds were created in five American colleges for annual essays on the subject of peace, and within ten years the London Peace Society had subscribed 120 guineas (about 630 dollars) for prize essays on peace, and authorized Rigaud to place 1250 francs at the disposal of the Society of Christian Morals for the same purpose.[2] Twenty-five

[1] *Advocate of Peace*, May, 1843, p. 57; *Herald of Peace*, Jan., 1839, p. 238; April, 1842, pp. 106, 107.

[2] *Punch*, 1843, vol. iv, p. 120; *Prize Essays on a Congress of Nations* (Boston, 1840), preface iii; *Advocate of Peace*, June, 1835, p. 250; March, 1836, p. 386; *Herald of Peace*, Oct., 1839, p. 387.

essays were submitted to the London Peace Society, H. T. J. Macnamara winning the first prize and an unknown "A. G.", winning the second. There were also essays written for other English peace societies, and a number for the French and Genevese societies, of which Bara's "Science de la Paix" probably got the most publicity.[1] But the outstanding contribution in this line was made by a group of Americans. Forty essays had been handed in to the American Peace Society in response to an anonymous offer of one thousand dollars. A committee of three, John Quincy Adams, Chancellor Kent and Daniel Webster, were unable to make an award because they found that five of the essays were "of nearly equal merit," so the offer was withdrawn. The A. P. S. took over the responsibility of rewarding the disappointed essayists, because the offer had been made through the *Advocate,* and in 1840 acted upon the advice of J. Q. Adams and published the five best essays under the title of "Prize Essays on a Congress of Nations." The essays were written by John Bolles, Chas. B. Emerson, T. C. Upham, Origen Bacheler and an author who chose to remain anonymous. William Ladd added a sixth essay, the masterpiece of the volume, which comprised the substance of the 35 discards — an attempt to unify the ideas and preserve every noteworthy thought in the rejected essays.[2] The American *Prize Essays* are a mine of information on international problems of the mid-nineteenth century. Its authors subjected the war system to searching criticism: every evil, positive and negative, all the illogical contradictions and absurdities of international relations and so-called civilized warfare were meticulously examined, and constructively

[1] *Herald of Peace,* July, 1841, p. 313; the Prize Essay of John Stock, printed by the Newcastle Peace Society, 1846; and that of L. Bara, Paris, 1849.

[2] *American Prize Essays, op. cit.,* Preface, pp. iv-xi; and Essay VI, p. 511.

criticized. Finally, a substitute for the existing system was presented and defended with various arguments and varying degrees of ability. These essays, comprising the most enlightened ideas of the period, the sanest thought on the subject of peace, presented, for the first time, a harmonious plan of action, a united front to the forces of anti-pacifism. The authors' single aim being to gain converts to their plan of establishing a Congress of Nations, no arguments were omitted which might have convinced the timid of its practicability or undermined the objections of the hostile. First of all, care was taken to prove that there were historical precedents and plans for a Congress of Nations. Next, it was shown that the proposed Congress would not be subject to the weaknesses and shortcomings of all such previous plans or experiments. Then, after attempting to refute every possible valid objection, the writers examined all the factors that could be reckoned on for its success. Naturally enough, the actual organization and constitution of such a Congress was dealt with summarily. Why should they have wasted time in elaborating an idea which was not even accepted in its broad outlines? After a general acceptance of its main points, they considered that there would be time enough and more fitting occasion for the working out and perfecting of basic details. The most important thing of all was to prove the necessity for an international tribunal, and to determine the nature of the work of such a body. Accordingly much space was devoted to a description of the proposed labors of the Congress, and the chief objects of its attention. For several years after their publication the *Prize Essays* had a distinct vogue. The American Peace Society sent copies of the volume to various European governments, to each French minister and every English member of Parliament.[1] Queen

[1] *American Prize Essays, op. cit., passim*; *Advocate of Peace*, Dec., 1841, p. 91.

Victoria was sent a handsomely-bound copy together with a letter in which Her Majesty was exhorted to use her great influence in the cause of peace. It is interesting to note that in this letter the Society urged its plan upon the ground that Queen Elizabeth had "readily" given her assent to the "complicated scheme" of Henry IV. Queen Victoria replied through her Foreign Secretary, Lord Palmerston, that she was "graciously pleased to accept . . . the Address and the Volume of Prize Essays which accompanied it," and that she had "nothing more at heart than the preservation of peace, and the promotion of harmony and friendship among nations." [1] In England several hundred copies of the Prize Essays were purchased, and the *Herald of Peace* claimed that the work was "an invaluable addition to the literature both of the Old and of the New World," and that it would "stand as a sure index to the feelings of a portion of the superior spirits of America at the present time, on the greatest of this Earth's great questions—peace." [2] But the American Peace Society realized that a book of some seven hundred pages would be too much for the average reader, so it published Ladd's Essay separately and sold it for seventy-five cents a copy,—asserting that it was the best synopsis of the subject to be found in any language. The London Peace Society proved itself to be in substantial agreement with this statement by issuing 20,000 copies of it, and distributing many of them among the editors of magazines and newspapers.[3] English friends of peace freely admitted that, in the matter of prize essays, Americans took the lead. Macnamara, author of the best of the English prize essays,

[1] Letters of the A. P. S. and of Queen Victoria, printed in the *Advocate of Peace*, April, 1841, p. 280.

[2] *Herald of Peace*, July, 1840, p. 201.

[3] *Advocate of Peace*, Feb., 1841, p. 259; June, 1841, p. 19; *Herald of Peace*, July, 1841, p. 312.

proved this point by drawing heavily upon the ideas of the American essayists and acknowledging his debt to them. His essay, more religious than theirs in tone, emphasized English and European problems and interests, as was natural; but it was in reality little more than an outline of Ladd's plan for a congress of nations. Its one distinctive contribution was an interesting set of charts which detailed England's wars from 1688 to 1839. One of these tables itemized, in parallel groups, the events of the wars and the number of years of their duration; the millions of pounds raised by taxes and loans; the average yearly expenditure; and the average of the yearly poor rate and the price of wheat per quarter.[1] When Stephen Rigaud made his second continental tour he presented copies of the two prize essays of Ladd and of Macnamara to the King of the Belgians, and to the libraries of the University of Bonn and of the Mission College at Basle.[2]

Miscellaneous articles and essays constitute a minor branch of peace literature, noteworthy chiefly in that it is illustrative of the way propaganda was carried on through the peace periodicals. This kind of writing is, of course, distinctly second-rate, except in the cases where the articles are written by first-rate advocates of peace.[3] The range of subject matter comes under six main headings. The general subject of war occupies many articles: statistics to prove the waste and evils thereof, descriptions or denunciations of its horrors

[1] *Herald of Peace*, Jan., 1842, pp. 19-24, quoting an extract from the *Bath and Cheltenham Gazette* of 1841; *Macnamara's Prize Essay* (London, 1841), *passim* and especially pp. 258-269, 346-352; on p. 224 Macnamara announces that he adopted Ladd's outline "in principle and in detail."

[2] *Advocate of Peace*, March, 1843, pp. 32, 33.

[3] *Vide* articles by Jay, Ladd, Channing, Upham, Coues and Dymond in the *Advocate of Peace* for Aug., 1839 and Feb., June, July, Aug. and Sept., 1842.

and its miseries, together with countless arguments to prove its folly, futility and wickedness.[1] Occasional articles are devoted to allied subjects such as descriptions of executions, court-martials or brutal military punishments.[2] There are numerous essays relating to Christianity or the Church and war. The influence of war on missions and the work of missionaries is described; the incompatibility of war with the Christian virtues is tirelessly pointed out; and the so-called "war degeneracy" of the Church is constantly deplored.[3] Plans for arbitration and the necessity therefor are favorite subjects, particularly with the *Herald of Peace;* and the *Herald* also has frequent articles on the moral evil of the slave trade and of capital punishment.[4]

Almost every number of the *Advocate* and of the *Herald of Peace* contain references to then current affairs and international relations, and many pages are devoted to "critical notices" in which every new peace publication is featured. The critical notices also take cognizance of any book which gives an opening for illustrating their principles, or for moralizing on the subject of war and peace.[5] Finally, the

[1] *Vide* articles in: *Herald of Peace* for Nov. and Dec., 1836; May, 1837; *Advocate of Peace*, Dec., 1835; Aug., 1838; Dec., '39; Feb. and April, 1841; Feb., July, Sept. and Dec., 1842.

[2] *Vide*: *Advocate of Peace*, Dec., 1835; Oct., 1840; *Herald of Peace*, Jan., 1837.

[3] *Vide*: the *Herald of Peace*, Nov. and Dec., 1836; the *Advocate of Peace*, Dec., 1835; Dec., 1839; April, Oct. and Dec., 1840 and April, 1841.

[4] *Vide*, on the slave trade: *Herald of Peace*, Nov., '36; Jan. and March, '37. On the abolition of capital punishment, *Advocate of Peace*, March, 1835; June, 1836; *Herald of Peace*, Oct. and Nov., 1836; Jan., March and May, 1837; April, 1840. On Arbitration, *Advocate of Peace*, 1842; *Herald of Peace*, 1819, 1820, 1824, 1829, 1833 and 1837.

[5] The critical notices of the *Advocate* and *Herald of Peace*, from 1835 to 1842, include—in addition to the notice of peace publications—notices of the following books. *The Life of Admiral Viscount Exmouth*; *The Voyage of the U. S. Frigate Potomac*; A. Reed and J. Matheson's *Narra-*

1836 numbers of the *Herald* testify to its predilection for reprinting articles from the *Advocate of Peace* and essays by Americans.[1] Even a brief survey of peace publications would not be complete without a mention of Elihu Burritt's "Olive Leaves" (*cf. supra*, p. 65). At first the *Leaves* were generally published as brief peace tracts and translated into seven different foreign languages. But after 1851 the expense of separate publication was found to be too great, so publication of the *Leaves* was confined to their insertion in current newspapers. One hundred and fifty Olive Leaf Societies were founded in England, Scotland and Ireland, over a hundred of which were women's societies, and they made themselves responsible for the publication of the *Leaves* in certain continental journals. In France, for example, a Parisian paper with a monthly circulation of 30,000 agreed to devote about a column and a half of space to the printing of *Olive Leaves* at a cost of 100 francs a month. Somewhat similar arrangements were made with German, Dutch, Danish, Italian, Norwegian, Swedish and Spanish journals and with one St. Petersburg paper. By the end of 1852, thanks to the Olive Leaf Societies, about $2000 was raised annually, and monthly translations of the Leaves appeared in more than forty different continental journals.[2]

Almost more important than the publications of the peace

*tive of the Visit to the American Churches, by a Deputation from the Congregational Union of Ireland and Wales*; William McNally's *Glimpse at our Navy*; the *Journal* of Thomas Chalkley; the *Life of Christian Frederick Swartz*; and notices and extracts from: The Reverend Sylvester Judd's account of the American Revolutionary War; Cyrus R. Edmonds' *Life and Times of George Washington*; Daniel Wheeler's *Letters and Journal*; Gough's *History of the Quakers*.

[1] *Vide*, especially, the *Herald of Peace* for: July, Aug., Oct., Nov., 1836.

[2] Burritt's *Autobiography, op. cit.*, pp. 19, 37-40; Chambers' *Edinburgh Journal*, 1851, vol. xv, pp. 193, 194.

societies were the efforts of these societies to win over the press to the cause of peace. Friends of peace believed that if the press could be converted, half the battle against the general public would be won — at least in the English-speaking countries where newspapers were increasing in number and importance. The *Herald of Peace* in a "Letter to the Conductors of the Public Press" made an eloquent plea that "the Fourth Estate" of the Realm, with its immense political influence, should make the peace cause its own and fight international war. And by the advice of Burritt the American Peace Society put less emphasis upon the publishing of tracts, and turned its attention to getting as many articles as possible published in leading American journals.[1] In the British Isles in 1850 there were some six hundred newspapers, one hundred and sixty of which were London papers. In that same year the United States boasted about 2,800. The increase in the number of American papers had been astounding, some even thought too rapid, in that quantity increased at the expense of quality. Be that as it may, they were not hampered by the stamp tax with which British papers were burdened until 1853, and so kept pace with America's increasing population.[2] In so far as the press was the hope of democracy it was also the hope of any reform which had to rely on the support of public opinion for its ultimate success. Accordingly peace periodicals kept a watchful eye on the press and noted joyfully any symptoms of an awakening pacific spirit. The *Advocate of Peace* found that over a dozen secular newspapers and magazines

[1] *Advocate of Peace*, July, 1842, p. 181; April, 1843, p. 45; May, 1879, p. 2; *Herald of Peace*, Jan., 1846, pp. 10-12.

[2] *British Almanac Companion—Year Book* for 1851, p. 171; Gurney, J. J., *Memoirs* (Philadelphia, 1855), p. 166; Martin, Kingsley, *The Triumph of Lord Palmerston* (London, 1924), p. 86.... Note to the effect that until 1853 daily papers in London cost five pence; McCulloch, J. R., *Dictionary ... of Commerce* (London, 1854), pp. 890 and 900.

published occasional articles on the peace movement, and noticed an increasing disposition on the part of the religious papers to back the cause. And when influential magazines such as the *North American Review* and the *Knickerbocker,* or prominent papers such as the *Democratic Review,* the Boston *Courier* and the New York *Journal of Commerce* printed articles on international law or on a congress of nations, the American Peace Society claimed the press as an ally. The *Herald of Peace* also found that some dozen English papers and magazines spasmodically supported the cause of peace, either directly or indirectly. And the London Peace Society had reason to be encouraged when such important provincial papers as the *Leeds Mercury* and the *Bath and Cheltenham Gazette* showed frequent signs of interest in peace.[1]

[1] *Advocate of Peace*, June, 1834, p. 49; Dec., '34, p. 138; Dec., 1835, p. 333; June, 1839, p. 6; Feb., '42, pp. 107-111; April, 1842, pp. 139-143. Jan., 1844, p. 154; *Sixth Report of the L. P. S.*, 1822, p. 29; *Herald of Peace*, Aug., 1836, p. 30; Dec., 1836, p. 88; Jan., 1837, p. 11; Feb., '37, p. 30; April, '37, p. 56; April, 1842, p. 67; Jan., '42, pp. 18-24; Jan., '43, p. 228; Oct., 1843, p. 467; Jan., '45, p. 218; Aug., '45, p. 342; Nov., 1847, p. 369; *British Almanac Companion, Year Book*, 1853, p. 53, article on the "Cost of War"; Chambers' *Edinburgh Journal*, 1848, p. 76. Article *vs.* an increase of the national defences; *Westminster Review*, July, 1847, vol. xlvii, pp. 349-370. Article on International Law; *North American Review*, Oct., 1835, pp. 287-307. Article on the Modern Law of Nations; Frothingham, P. R., *Edward Everett, Orator and Statesman* (New York, 1925), p. 67. On the importance of the North American Review; Angell, Norman, *The Public Mind* (N. Y., 1927), p. 126. Articles on peace were noted in the following journals: In *The United States: The American Observer and Quarterly*; *The Knickerbocker*, or *N. Y. Monthly Magazine*; *The N. Y. Observer*; *The Boston Recorder*; *The Boston Courier*; *The Lynn Record*; *The Portsmouth Journal*; *The N. Y. Journal of Commerce*; *The Democratic Review*; *The Boston Mercantile Journal*; *The Morning Star*; *The Christian Mirror* and *The Christian Watchman.* In *England: The Leeds Mercury*; *The Family Magazine*; *The Dissenter*; *Ward's Miscellany*; *The Bath and Cheltenham Gazette*; *The Illuminated Magazine*; *The Hull Advertiser*; *The Nottingham Review*; *The Metropolitan Magazine*, and a single article in the *Times* in 1846.

Thus far, notice has been taken only of the means used by peace societies to convert the public at large. The means used to bring pressure to bear on governments must not be overlooked. To influence the legislatures, recourse was had to petitions; to influence members of the government, deputations and appeals made in person or by letter. In the United States as early as 1834 peace societies began a systematic petitioning of both the state legislatures and of Congress. The wording of early petitions was vague and amounted to little more than a plea for negotiation in cases of national disputes. After a few years, however, the demands of friends of peace became standardized and most petitions contained a plea for the establishment of a congress of nations and for a code of international law. The second petition of the American Peace Society to Congress, for instance, is very nearly a summary of Ladd's essay on a Congress of Nations. It aimed to show the necessity of both a congress and a court of nations as well as of a code of international law; and it answered current objections to such a project. Some of the petitions pointed out precedents or possible examples, such as that of the "Helvetic Republic"; others quoted Benjamin Franklin or Thomas Jefferson in support of their ideas. All concurred that the United States should be the first to propose the assembling of the Congress. In the two years, 1838 to 1840, six senators presented these petitions; and when Franklin Pierce presented the memorial of S. E. Coues, signed by 159 citizens of Portsmouth, New Hampshire, he vouched for the "intelligence, respectability, and high moral worth" of most of the subscribers, and for the "clearness and ability" of the document itself.[1] In England, the first petition of the London

[1] *Advocate of Peace*, Sept., 1834, p. 93; Jan., 1839, pp. 190-192; Dec., 1839, pp. 94, 95; April, 1844, p. 190; *American Prize Essays* on a Congress of Nations (Boston, 1840), pp. 661-664, 679-683, 691-699; *The Con-*

Peace Society to the House of Commons was an exposition of the peace movement as well as a plea that Parliament should endeavor to induce all governments to unite in forming a "great council," in settling the principles of international law and in organizing a high court of appeal for international disputes.[1] Thereafter, however, friends of peace standardized their petitions to Parliament and confined themselves to a double appeal for stipulated arbitration and disarmament. For the seven years 1846 to 1852 the British *Almanac Companion or Year Book* reported that upwards of 1500 arbitration petitions were presented to the House of Commons, and that their aggregate number of signatures was 277,054. During this same period some 2000 petitions for disarmament were presented bearing over 600,000 signatures. Of these, some were in behalf of general disarmament and retrenchment; some were against enrolment of the militia in certain years; some were against the sending of more men to the Colonies. Generally speaking, a petition would be presented by some Member of Parliament after the London Peace Society and its auxiliaries had called special meetings throughout England for the purpose of obtaining as many signatures as possible for the prospective petition. Only occasionally is it possible to determine the proportion between arbitration and disarmament petitions and the total number of public petitions. One of the few years for which comparative figures are given by the *Year Book* was 1848. In the course of that year 18,504 public petitions were presented of which 249 were for arbitration and disarmament. The next year about one-tenth of the total number of public petitions were in behalf of arbitra-

*gressional Globe*, 1838-1840—25th Congress, vol. vi, p. 245; 25th Congress, vol. vii, p. 28; 26th Congress, vol. viii, pp. 201, 209, 220, 226 and 198 (F. Pierce's presentation).

[1] *American Prize Essays, op. cit.*, pp. 699, 700.

tion. It is also interesting to note the relation between the number of petitions for the abolition of capital punishment and those for arbitration and disarmament. Of the latter, from 1846 to 1852 inclusive there was a total of 3695 petitions bearing 887,199 signatures; whereas there were only 273 petitions against capital punishment carrying 73,749 signatures during the same period.[1]

There is one variety of peace petition which has not yet been mentioned. Petitions presented on every occasion of international dispute were of even more immediate significance than those on peace questions in general. In 1837 American friends of peace set the precedent of protesting to their representatives in the federal government against whatever seemed to threaten peace. On this first occasion they urged that Congress should accede to Mexico's proposition for arbitrating the claims of the United States. The next year Congress was petitioned by the New York and American Peace Societies to offer mediation between France and Mexico.[2] In England there were even more occasions in which the friends of peace felt called upon to memorialize the government. Between 1840 and 1842 the London Peace Society petitioned H. M.'s Government three times—first to avert, then to end the war with China. In 1839 and 1845 the London and American Peace Societies petitioned their respective governments to arbitrate the North-East and North-West boundary disputes. During 1843 the L. P. S. attempted an adjustment of the difficulties between the Government and the Welsh insurrectionists. Not only was the

[1] *Herald of Peace*, March, 1846, pp. 42, 43; Oct., 1847, p. 368; *The British Almanac Companion* or *Year-Book*, for the years 1846 to 1853: annual statements of public petitions.

[2] *American Prize Essays on a Congress of Nations, op. cit.*, pp. 661 and 685, 686; Curti, M. E., *The Movement for International Peace in the United States, op. cit.*, p. 142.

Government petitioned to refrain from settling the controversy with arms, but the Rebeccaites were also urged to renounce violence by means of 10,000 handbills which were distributed in Wales. In 1845, when the Queen's speech of February 4th announced a proposed increase in the navy in order to "protect" England's growing commerce, the L. P. S. memorialized the Government on the subject of reducing peacetime naval and military establishments. Later that same year the L.P.S. presented memorials to both the British and French Governments on the wars in Morocco, Hayti and Tahiti; and to the Cantonal Governments of Switzerland and to their diet on the Swiss civil wars. In 1846 the British Government was petitioned against voting thanks to the victors in the Sikh Wars. And from November 1846 to January 1848 both the L. P. S. and the A. P. S made frequent petitions to President Polk to put an end to the war with Mexico. The London Society also sent a memorial to Santa Anna, President of Mexico. In 1853 fifteen petitions were sponsored by the London friends of peace for the discontinuance of the Kafir War. And of course, during the Crimean War, the use of anti-war petitions increased considerably.[1] The Peace Congresses were directly responsible for certain petitions and memorials which were presented to Parliament. In 1843 the proposed military rule of Ireland, recent wars in China, Afghanistan and Scinde, and the opium trade with China prompted the London Peace Convention to draft petitions covering these subjects. Again, the two Congresses of 1853 authorized petitions against the militia law of 1852; in favor of revising the system of Gov-

[1] *Herald of Peace*, July, 1839, p. 319; April, 1840, pp. 102, 103; Jan., 1842, p. 38; July, '42, p. 143; Oct., 1843, pp. 425, 426; Jan., '44, p. 29; March, 1845, pp. 246-248; June, 1845, p. 291-292; April, 1846, p. 59; June, '46, p. 116; Nov., 1846, pp. 169, 174; Jan., 1847, p. 202; April, 1847, pp. 63 and 250; Aug., 1847, pp. 330-332; Jan., 1848, p. 6; The *B. A. C., Year-Book*, 1847, p. 225; 1853, p. 233.

ernment in India; and in behalf of promoting "friendly and cordial relations" between France and England. The Manchester Peace Congress also sent a special deputation to the Earl of Aberdeen to "represent . . . the sentiments" of the Congress on the military establishments of Europe.[1] When the peace-makers met in 1856 to fix upon the terms of the Treaty of Paris, the London Peace Society made a valiant effort to get a qualified arbitration clause inserted in the treaty. A memorial was presented to the Queen, through Lord Palmerston, which suggested that this gathering of the representatives of the Great Powers afforded a rare opportunity for deciding upon a system of international arbitration. Thereupon a deputation of three went to Paris to urge their proposition upon Lord Clarendon. Charles Hindley, M.P., Joseph Sturge and Henry Richard obtained assurances from him that he would make an effort to have an article such as they wanted included in the peace treaty, and then the deputation further prepared the ground by presenting a memorial in behalf of the Peace Conference Committee to the various sovereigns of France, Russia, Austria, Prussia, the King of Sardinia and even to the Sultan of the Ottoman Empire. The result of their efforts was the twenty-third protocol of the Treaty of Paris. Thanks to the friends of peace, arbitration was taken out of the region of abstract speculation and included among the recognized resources of practical statesmanship.[2]

What Mr. Curti has shown in his survey of the peace movement in America is equally true of the peace movement

[1] *Resolutions XI and XII of the London Peace Convention*; *Resolutions IV, V and VI of the Manchester Peace Congress*; *Resolution V of the Edinburgh Peace Congress.* The above resolutions all printed in the Reports of the Peace Congresses (London, 1861). *Advocate of Peace,* Aug., 1844, p. 229; May, 1853, p. 276.

[2] *Herald of Peace,* May, 1856, p. 57; June, 1856, p. 61; Hobhouse, Stephen, *Life of Joseph Sturge* (London, 1919), p. 155.

in England: friends of peace in both countries faced each public issue as it came up, and their attitude was, on the whole, one of firm adherence to their principles. When the issue was a domestic one, such as that of civil war in Canada in 1837, or the annexation of Texas in the United States in 1845, dissuasion was attempted. When wars of aggression were undertaken, such as those of the British in China and Afghanistan, the cruelty, injustice and unchristianity of such warfare was denounced. When the A. P. S. deemed Great Britain and the United States on the brink of war in 1842, it issued a "solemn protest" against any resort to arms and broadcasted it through the religious and secular press. If a distinction may be made as to the methods of the British and American friends of peace, it is that the London Peace Society relied most on petitions to the Government, whereas the American Peace Society seems to have had more faith in the efficacy of appeals to the general public. During the Crimean War English friends of peace, in accordance with Richard Cobden's advice, temporarily discontinued the holding of their lectures and public meetings. That this was not through cowardice but because they realized the uselessness of much peace activity in the face of the current war fever is clearly shown by the fact that, immediately after the publication of Bright's letter, peace activities were resumed and special efforts were made to end the war by the Peace Conference Committee of the L.P.S. as well as by a "Stop-the-War League." As Cobden pointed out time and again, peace societies would get nowhere by enunciating abstract principles, but they should be ready to act at once in case an armistice were attempted.[1]

[1] *Herald of Peace*, April, 1838; Jan., 1842, pp. 32-38; Jan., 1843, pp. 256, 259-262; April, 1843, pp. 282-294; Jan., 1844, p. 47; June, 1855, pp. 209-213; June, 1856, p. 63; *Advocate of Peace*, Dec., 1841, p. 83; *3 Hansard*, vol. cxxxvi, p. 1019; Channing, W. E., *Letter on the Annexa-*

So much for the various methods of direct propaganda. There were, in addition, certain reforms which were considered concomitant with the movement for international peace. Consequently the promotion of these auxiliary reforms was in the nature of indirect propaganda. Cobden with his penchant for practical pacifism believed that the advance of education and the progress of science was prerequisite to the promotion of any and every reform. Peace societies advocated education along peace lines, but Cobden went further and maintained that improved education along all lines would enable people to think straighter and so perceive more readily what would be to their best interests. Likewise it was thought that the development of Science, a branch of learning which knew no national boundaries, would tend to give the citizens of different countries an interest in common and so bind them more closely one to another.[1]

Elihu Burritt and Joseph Sturge thought that nothing would aid the cause of peace as much as the establishing of an Ocean Penny Postage. As early as 1847 Burritt wrote several articles in which he pointed out that the social and commercial tendencies of mankind together with the rapidly developing facilities for communication throughout the civilized world made a cheaper ocean postage imperative. He also made the point that England, because of her central position and world-wide contacts, was the one nation best

*tion of Texas*, reprinted in 1903, *passim*; Gurney, J. J., *Memoirs, op. cit.*, p. 488; Hobson, J. A., *Cobden the International Man, op. cit.*, pp. 109-116, extracts from letters of Cobden to Henry Richard, March to Dec., 1854; Curti, M. E., *The Movement for International Peace in the U. S., op. cit.*, pp. 131-142.

[1] *Advocate of Peace*, Sept., 1834, pp. 101, 102; Dec., 1834, p. 150; Gurney's *Memoirs, op. cit.*, p. 153; Morley, John, *Life of Richard Cobden* (London, 1908), vol. i, pp. 138, 139, 440; quoting letters from Cobden to W. Tait (17 August, 1838), and to George Combe (14 July, 1846).

fitted to lead the way in reforming the ocean postal service. The argument for cheap ocean postage was as follows: if British postage rates were to be two English penny stamps for half-ounce letters, instead of the existing shilling rate, then a far greater number of letters would be sent across the Atlantic; prepayment of letters would be more practicable and, therefore, there would be fewer dead letters, unpaid for, in the English post-offices; existing evasions of the postal laws would automatically cease; and Great Britain would probably monopolize the carrying trade in mails. All of which would increase the friendly communication between citizens of different countries. It was also claimed that an Ocean Penny Postage would be invaluable to any extensive emigration movement and so, indirectly, a bridge to international understanding. On the eve of the Crimean War Burritt, in addition to an English tour, canvassed the United States, parts of Canada, Holland and Prussia in behalf of his pet project. During the three years 1851 to 1853, 319 petitions for the establishment of an Ocean Penny Postage were signed by over 60,000 people. These figures are more than double the number of petitions and of subscribers of petitions that originated for the suppression of the slave trade during three previous years, which would seem to indicate that considerable popular interest was aroused in this reform.[1]

Friends of peace sympathized with, rather than aided the movement in England for army reform. They were reluctant to give much active support to a movement that might

[1] *Herald of Peace*, April, 1847, p. 248; Aug., 1847, p. 328; Chambers' *Edinburgh Journal*, 1849, vol. xii, p. 79; Burritt, E., *Works* (Boston, 1869), p. 157; Burritt, E., *Autobiography* (Boston, 1874), pp. 43-45; B. A. C., *Year-Book, op. cit.*, 1852-1854, public petitions, 1851-1853, for the establishment of O. P. P., 319 petitions with 62,221 signatures; *Year-Book*, 1850-1852, public petitions, 1849 to 1851 inclusive, 144 petitions for the suppression of the slave trade, having 32,161 signatures.

result in an improvement of the war system rather than in its abolition. One of the stock arguments against the system was the fact that peace-time military establishments drained men from agricultural and industrial pursuits; condemned them to a life of idleness and immorality, or else to unproductive employment; taught them to despise human life; and subjected them to brutal punishments. If all this were changed, they argued that it might be even harder to bring about a reduction of the military forces or any general disarmament. Nevertheless peace societies encouraged the educating of private soldiers—in the hope that they might thus be weaned from their calling — and constantly protested against the severity of army discipline. In 1846 when the Jury of a Coroner's Inquest attributed the death of a certain private of the Seventh Hussars to "the cruel and severe flogging" which he had undergone, the London Peace Society gave wide publicity to the case and was instrumental in obtaining the 12,000 or more signatures to the 37 public petitions for the abolition of flogging in the army and navy. But the reform of army conditions was not seriously undertaken until 1852, and even then little was done until the Crimean War demonstrated the appalling incompetence of rank and file and of staff officers.[1]

Growth of public sentiment against duelling was taken to be a propitious omen by international reformers. They felt

[1] Jerrold, Douglas, *Shilling Magazine*, 1846, p. 456; *3 Hansard*, vol. cxxxvi, pp. 1076-1085; 1905, 1906, 2099; B. A. C., *Year-Book, op. cit.*, 1847, public petitions for 1846, p. 226. 37 petitions, having 12,091 signatures, for the abolition of flogging, naval and military; *Herald of Peace*, Sept, 1846, pp. 129-135; and April 1837, giving extract from a Parliamentary report to the effect that about 600 soldiers and marines were annually subjected to corporal punishment between 1831 and 1836; *Blackwood's Edinburgh Magazine*, Aug., 1846, pp. 129-145; "the articles of war, as they stand at the present day, restrict the award of corporal punishment, by a general court-martial, to 200 lashes; by a district court-martial, to 150 lashes; by a regimental court, to 100 lashes."

that, should a practice like duelling be effectively outlawed by public opinion, there was hope for the outlawing of international war. And they pointed out that both individual and national duelling were founded on the same false principles of justice and honor, and that they failed equally either to establish justice or to right a wrong. The six famous duels that were fought in England and the United States between 1837 and 1845 fanned popular disapproval of the institution. The *Advocate of Peace* published a seventeen-page article on the evils of duelling and efforts made to suppress it. John Dunlop, a member of the London Peace Society, founded an "Anti-Duel Society" in 1842. Friends of peace multiplied anti-duel arguments; coupled them with anti-war arguments; capitalized the conversion of a man like Emile de Girardin; and stoutly maintained that the abolition of duelling would be a positive advance in the direction of outlawing war.[1]

Lastly, the mid-century saw the inauguration of a unique international movement. The Great Exhibition of Industry, first of its kind, was held in London in 1851. It was believed, even by many outside of the peace movement, that international industrial coöperation would further the cause of peace, that the collaboration of workmen and of manufacturers of different countries would do more than anything

[1] *Herald of Peace*, Oct., 1839, pp. 378-380; Oct., 1842, p. 215; Oct., 1843, p. 422; *Advocate of Peace*, July, 1838, pp. 25-42 (an article by *Pacificus*); *American Almanac* for 1845, 1846, pp. 326 and 339—(*Chronicle* for 1844 and 1845); *3 Hansard*, vol. cvi, p. 73 (12 June, 1849); Douglas Jerrold's *Shilling Magazine* (I), pp. 436-442, article signed by "A. W."; Jerrold, D., *Punch's Complete Letter Writer*, 1853, pp. 161-164 (London); Odysse-Barot, *Emile de Girardin* (Paris, 1866), p. 46. Three of the famous duels, two American and one English, were fatal; and E. de Girardin became converted after fighting his fourth duel in which he killed Armand Carrell, a one-time friend and teacher: his reaction against duelling was due (apparently) to a combination of remorse and common sense.

else to develop an international community of interests and create general peace sentiment. No pains were spared to make the Exhibition a success, and the famous crystal palace covering an area of nineteen acres was especially built for it in Hyde Park. The fact that there were 6,170,000 visitors and a financial return of £364,758 (not far from two million dollars) for the twenty-three weeks of its duration testifies to the great amount of interest shown in the Exhibition. Twenty-seven states and nations were represented; there were about 15,000 exhibitors, including governments, societies, companies and individuals; and some 3000 prizes were awarded, the Jury Council having reported on " at least a million " articles of machinery, raw materials, manufactures and fine arts. The international character of the undertaking was emphasized by the fact that most of the eighteen different varieties of catalogues and guides were translated into French and German. Also, Horace Greeley, one of the American jurors, commented on the impartiality of the twenty-five Royal Commissioners; and the *Year Book* for 1851 noted that there were 250 foreign commissioners, forty of whom attended the Exhibition in person, and that Great Britain's " foreign guests " occupied two-fifths of the space and carried off three-fifths of the honors. It is not surprising, therefore, that when Prince Albert addressed his fellow-commissioners at the Lord Mayor's banquet he should have said that the tendencies of the age toward unity would be forwarded by the project, nor that Burritt should have called the Crystal Palace a temple of peace.[1]

[1] The *B. A. C., Year-Book*, 1852, *op. cit.*, pp. 20-39, 251; Greeley, Horace, *A Glance at Europe* (New York, 1851), pp. 27-34, 72-77; *The Annual Register*, London, Chronicle for March, 1850, p. 40; Burritt, E., *Works, op. cit.*, pp. 214-230; In Cobden's Library at Dunford, *Jury Reports of the Great Exhibition* (1851), 4 vols. (400 folio pages each); *Official Catalogue of the Great Exhibition* (1851), 3 vols. (1000 folio pages each).

Before closing this survey of the technique of propaganda it would be well to summarize the arguments employed against the war system and typical pleas for peace. Only by so doing can one hope to make a rough estimate of the relative strength and weakness of the stand taken by friends of peace and their opponents.

War was defined as a public, armed contest; an institution growing out of custom, sanctioned by the law of nations. It was resorted to, professedly, to establish justice or to prosecute national rights by force. And war considered as a trial by battle, a deliberate appeal to force or chance, raised no question as to domestic policing or the right of self-defence. There was no possible analogy between war and the operation of penal law and justice, for a belligerent takes upon himself the triple character of plaintiff, defendant and judge. Consequently rights could never be determined nor justice obtained by such a proceeding. Considered in this light the institution of war stood self-condemned, powerless to achieve its professed object. In addition to a sweeping indictment of war as being contrary to religion, reason and humanity, certain specific charges of a moral, social and economic character, were brought up against the institution. Those who believed that the chief evil of war was moral evil endeavored to prove that war fostered all human crimes and brutalized the character. They claimed that nations as well as individual fighters became callous and selfish; that suffering and taxation bred disease and poverty; that the aftermath of war was spiritual and physical deterioration as well as social and political disorganization. And it was easy to see that even a post-war period is not conducive to domestic reform or philanthropic enterprises.[1] On the economic

[1] Sumner, Chas., *True Grandeur of Nations* (Boston, 1845), pp. 7-27; Sumner, Chas., *War System of the Commonwealth of Nations* (Boston, 1849), pp. 13-23; Sumner, Chas., *Phi Beta Kappa Address* (Harvard,

score it was affirmed that war leads to high prices, high taxation and the accumulation of heavy national debts; to a general dislocation of industry and, therefore, to unemployment; to the disruption of trade and commerce, to smuggling and privateering. These conditions are the inevitable concomitant of a state of war. Add to this the fact that the defeated nation also suffers invasion with a consequent destruction of property, and devastation of its crops and soil. To the victor war brings but little prosperity or commercial gain as compared with the incalculable waste, expense and exhaustion entailed. Daniel Webster, who never formally allied himself with the peace movement, stated that a bare rumor of war would reduce property values and injure both business and commerce. Not least in the reckoning was the drainage of able-bodied men from productive pursuits, and the heavy toll of life.[1] Friends of peace reinforced these statements by giving statistics of armaments; of the cost of wars and the recorded increase of national debts; of populations and pauperism.[2] For instance, England's public debt

1846), p. 62; Channing, W. E., *A Discourse on War*, 1835 (Boston, 1903), pp. 80-86; Burritt, E., *Works, op. cit.*, pp. 328, 329; Burritt, E., *Autobiography, op. cit.*, p. 256; *Advocate of Peace*, 1834 June, pp. 21-24, 1834 Sept., pp. 57-67; 1835 Sept., pp. 264-268; March, 1836, pp. 34, 351-361; Macnamara's *Prize Essay, op. cit.*, pp. 254, 255; Cobden, R., *Political Writings* (London, 1878), pp. 139-146, 295; Richard, H., *Memoirs of Joseph Sturge* (London, 1864), p. 74; Richard, H., *Speech at Dublin*, 1872, p. 6; Dymond, Jonathan, *War*, . . . an essay from "Essays on the Principles of Morality" (London, 1823), pp. 16-27; Pierce, E. L., *Memoir of Sumner, op. cit.*, pp. 278, 377.

[1] Channing, W. E., *First Discourse on War*, 1816, pp. 16-24; *Second Discourse on War*, 1835, pp. 48-50; *Advocate of Peace*, June, 1834, pp. 26, 27; Dec., 1842, p. 283; Cobden's *Political Writings, op. cit.*, pp. 66, 84; Macnamara's *Prize Essay, op. cit.*, pp. 263-267; Necker's *Tract*, number xi, of the L. P. S., pp. 7-11; Odysse-Barot, *E. de Girardin, op. cit.*, p. 270; Hobson, J. A., *Cobden the International Man, op. cit.*, letters from Cobden to Richard, pp. 198 and 219-222.

[2] Sumner, Chas., *True Grandeur of Nations, op. cit.*, pp. 47-57; Burritt,

in 1842 was said to be £800,000,000, largely accumulated during war periods from 1688 to 1815. Official returns for 1847 gave the cost to the United States of the war with Mexico as almost $32,000,000. China, with a population of over 361,000,000, was believed to have a standing military force of 780,000; whereas all Christendom, with its population of only 200,000,000, had over 3,000,000 men under arms.[1]

Friends of peace suggested that one method of abolishing war, in addition to formulating definite plans for international coöperation, was to expose its true character. They were confident that the war system would be hated if its miseries and waste, the evils attendant upon army life, and the false glamor of the soldier's profession were rightly understood. And once sincerely hated, they were convinced that it would no longer be countenanced by public sentiment. To render the proposed exposure complete, a list of the removable obstacles to peace must be included with the statement of war conditions.[2] Upham's *Manual of Peace* referred to the findings of a special commission of the Massachusetts Peace Society which reported on the causes of 286 wars fought between 313 A. D. and 1815. It was stated

E., *Works, op. cit.*, pp. 317-328; *Year-Book of the Nations* (London, 1855), *passim*; *Advocate of Peace*, April, 1841, pp. 255, 273, 284; Dec., 1842, pp. 274, 275; April, 1843, p. 43; *Publication of the L. P. S.*, on "*Facts and Illustrations in Reference to War and Peace, and International Arbitration*," 60 pages. First published in 1872 (?); Macnamara's *Prize Essay, op. cit.*, pp. 346-352 and 268, 269.

[1] *Advocate of Peace*, Dec., 1839, pp. 80-82; Feb., 1842, p. 113; *The American Almanac* for 1848, 1849—Extracts from U. S. Treasury Reports for 1845, 1847, 1848, p. 141; 1849, p. 159.

[2] Sumner, Chas., *War System of the Commonwealth of Nations, op. cit.*, p. 59; *Advocate of Peace*, Dec., 1834, pp. 120-132; Jerrold, Douglas, *Shilling Magazine*, 1846, pp. 560-563; Jerrold, Douglas, *Punch's Complete Letter Writer*, 1853, pp. 113, 117.

that sixty-six of them were wars of aggression; forty-one were fought over disputed succession to a throne; fifty-five were civil or revolutionary; and the balance were attributable to motives of religion or of national aggrandizement.[1] Cobden and his disciples made a more exhaustive analysis of underlying causes of national frictions, and thirty years later Émile de Laveleye made a lucid summary of their opinions. He headed his list with wars of religion, but stressed those undertaken for national reasons. The evolution of national states, the resulting differentiation of races, languages and social and political customs on the one hand, coupled with the parallel growth of national jealousies, and narrow and exclusive conceptions of patriotism on the other, made for a constant state of international friction. And such frictions burst into active hostilities whenever the expansionist tendencies of these states got out of control. The land hunger of the seventeenth and eighteenth centuries yielded, in the nineteenth century, to a thirst for national "influence" and desire for intervention by one state in the internal affairs of another. This tendency was intensified by the character of European diplomacy, and insistence on maintaining the so-called balance of power. The Eastern Question of 1840 which involved the nature of Egypt's relations with the Ottoman Empire, with France and with England is an illustration of the international complications arising out of these developments.[2] Add to such

[1] Upham, T. C., *Manual of Peace* (New York, 1842), chapter vii, especially pp. 83, 84.

[2] Laveleye, Emile de, *On the Causes of War, and the Means of Reducing their Number* (London, 1872, reprinted by the L. P. S. from the "*Cobden Club Essays*"), pp. 4-26; Cobden's *Political Writings, op. cit.*, pp. 3, 5, 71, 82; *Letter of Cobden to H. Richard*, Nov., 1856, printed in Hobson's *Cobden the International Man, op. cit.*, p. 179; *Hansard's Debates*, Dec., 1854, vol. cxxxvi, pp. 508, 647; Burritt, E., *Autobiography, op. cit.*, p. 339; Sumner, Chas., *True Grandeur of Nations, op. cit.*, pp.

political considerations conflicting economic interests, tariff barriers and the supposed necessity for "protecting" commerce and industry—for England alone advocated free-trade principles between 1845 and 1860—and one wonders that more people did not join with Channing in prophesying the dangers to be apprehended from the growth of economic nationalism. (*Cf. supra*, ch. i, p. 17.) Also, with the growing complexity of international commercial relations, continental wars involved an increasing number of neutrals, for it became more and more difficult for neutral states to ascertain what exactly were their rights and duties in time of war.[1] It was believed that suspicion and fear often precipitated wars, particularly if revolutionary outbreaks in neighboring states or general economic conditions made for strained relations. Sumner maintained also that the nations with the greatest armaments were invariably the most pugnacious, that large-scale armies, navies and fortifications were provocative of war, inviting attack as lightning-rods attract lightning.[2] Finally, certain wars were admittedly historical in their origin, growing out of a desire for revenge or for the righting of ancient wrongs. A prevalent belief in the necessity of war plus education along lines that made for insensibility to the evils of war; the popular glorifica-

42-47; Channing, W. E., *First Discourse on War, op. cit.*, pp. 25-30; Dymond, J., *Essay on War, op. cit.*, pp. 4-12; Macnamara's *Prize Essay, op. cit.*, pp. 257-262.

[1] Laveleye, *op. cit.*, pp. 24, 25; Cobden's *Political Writings, op. cit.*, pp. 123-126; Bright, J., *Public Letters* (London, 1885), pp. 216-217; Channing, W. E., *Second Discourse on War*, 1835, p. 91; Macnamara, *op. cit.*, p. 236.

[2] Sumner, Chas., *True Grandeur of Nations*, pp. 47, 61, 67 and 77; Burritt's *Autobiography*, p. 276; Cobden's *Political Writings*, pp. 110-116, 171, 178, 181, 182, 186-189 and 193; Bright, J., *Testimonial speech re* Burritt, Manchester, 5 Oct., 1849 (printed in Burritt's Works, pp. 152, 153).

tion of war and warriors together with the exaltation of national honor—all conspired to keep alive the war tradition, and strengthened the sanction given to the war system by great soldiers, statesmen and writers.[1]

In order to create as strong an anti-war sentiment as possible it was thought advisable to show that, in general, war is neither justifiable nor necessary, and that objections to its abolition are groundless. It was conceded by some friends of peace that it was occasionally justifiable to fight for certain things, such as the securing or preservation of liberty and free institutions; and the fact that progress in this direction resulted from the French Revolution and the American War of Independence was taken to prove the point. But one claim which was not admitted was the assertion that a period of prolonged peace was detrimental to the character of a nation and the moral stamina of its citizens. Friends of peace, one and all, maintained that cultivation of the arts of peace was not enervating, and considered their assertion justified when the Crimean War showed that the preceding era of peace had impaired neither the energy, the endurance nor the courage of Englishmen.[2]

As to the necessity for war, even those who believed that wars would not cease until mankind reached a higher stage of civilization, admitted that they might diminish in number as civilization progressed. As Sumner expressed it, the

[1] Laveleye, *op. cit.*, pp. 9 and 10; Macnamara, *op. cit.*, p. 247; *Tract* xiii of the *L. P. S.*, pp. 4, 12-16; *Advocate of Peace*, June, 1836, pp. 29 and 35; June, 1840, pp. 161-163; Sumner, C., *True Grandeur of Nations*, pp. 5, 6, 28-31, 36 and 37; Channing, W. E., *Third Discourse on War*, 1838, pp. 95-96, 98, 100, 103, 108 and 110.

[2] Channing, W. E., *Second Discourse on War*, 1835, *op. cit.*, p. 78; Whittier, J. G., *Prose Works* (Boston, 1882), vol. ii, pp. 391, 392; Letter of F. Lieber to G. S. Hillard, 18 April, 1854, printed in Perry, T. S., *Life of Lieber* (New York, 1882), p. 271; Bright, J., *op. cit.*, pp. 23-27, 33, 238-239; *3 Hansard*, vol. cxxxvi, pp. 393, 395, 404; Cliffe Leslie, T. E., *Article in Macmillan's Magazine*, May, 1860, p. 84.

preservation of war as an institution for the administration of justice is entirely dependent on the collective will of individuals. It is in the power of the commonwealth of nations, by creating a substitute, to effect the total abolition of war.[1] As for the arguments that the time is not yet ripe, that society could not afford to dispense with its fighting forces for fear of anarchy, mob rule or piracy, and that no nation could abjure war without becoming the prey of other nations—such reasoning was held to be beside the point. Anti-war propaganda was directed toward the abolition of international war, toward the undermining of the custom of war, not to any interference with necessary national policing. Furthermore, the proposed disarming of nations was to be gradual, simultaneous and proportionate: no nation was intended to be left at the mercy of any other nation. Only extremists advocated instantaneous action along such lines. Sane and intelligent peace advocates saw no reason for lowering their ideal merely because they were forced to concede that the immediate establishment of permanent and universal peace was either inexpedient or impracticable.[2]

Apologists for war who based their arguments on certain texts in the Old and New Testaments, or on the fact that no express injunction against fighting was to be found in the New Testament, were answered thus: the whole tenor of the New Testament, the character of Christ and His disciples, and the spirit of His teachings are unqualifiedly in favor of peace and brotherly love. More than this, prophecies relating to Christ foretell universal peace, and the divinely sanctioned warfare of the Israelites is offset by the more modern

[1] Emerson, R. W., *Lecture on War* (Boston, 1838); Douglas Jerrold's *Shilling Magazine*, I, pp. 41-44; Sumner, Chas., *War System of the Commonwealth of Nations, op. cit.*, pp. 58, 59.

[2] *Advocate of Peace*, July, 1842, pp. 171-174; *Tract XIII of the L. P. S.*, pp. 25-36.

and pacific morality of the New Testament. The doctrines and practice of the early Christians, at least for more than a century after Christ's death, show that they considered war as contrary to His teachings; and this interpretation of the "Law of Love" as the central doctrine of Christianity is corroborated by the early Church Fathers. In short, as Henry Richard said when he addressed the London Peace Society in 1844, the spirit of any great system must be learned, not from a few isolated passages, but from the general character and tendency of its doctrines. And the spirit of Christianity, its ideal, was taken to be a fulfilment of the prophecy given in the third verse of the fourth chapter of Micah: the peoples "shall beat their swords into plowshares, and their spears into pruning-hooks; nation shall not lift up sword against nation, neither shall they learn war any more." [1]

This brief summary scarcely does justice to the anti-war arguments of friends of peace. For not until the case against war was made as invulnerable as possible did they concern themselves with remedies therefor. Obviously such causes of war and sources of national friction as could be done away with must be uprooted. Only after this was done, and if in spite of all preventive measures war threatened, a specific substitute for war should be provided. The inauguration of a system of arbitration, codification of international law and

[1] *Advocate of Peace*, March, 1835, pp. 173, 174; Aug., 1840, p. 179; Sumner, Chas., *True Grandeur of Nations*, p. 98; Upham, T. C., *op. cit.*, pp. 134, 135; *Report of the Annual Meeting of the L. P. S.*, 21 May, 1844, in the *Herald of Peace*, p. 114; *Tract XIII of the L. P. S.*, pp. 39-60; Macnamara's *Prize Essay*, pp. 152, 153; *Tract XII of the L. P. S.*, by J. J. Gurney, pp. 4-10; *N. B., Old Testament* prophecies against war are: Isa. ii. 2-4; ix. 6. Mic. iv. 1-4. Zech. ix. 9-10. Principal arguments for the "Law of Love" based on the following *New Testament* texts: Matt v. 38-48; xxvi. 52. Luke vi. 27-29. Rom. viii. 28; xii. 19-21. John iii. 4; xviii. 36. Ephes. vi.

the establishing of a congress of nations were proposed to ensure the adoption of a substitute before an outburst of war fever should sweep all before it and render the pacific adjustment of a dispute impracticable. In order the more easily to employ a substitute, public sentiment must be converted by displacing popular ideals of national honor and military glory by a new conception of civic duty and national morality. Citizens must be made to realize that true patriotism consists in upholding one's country in pursuing a policy of peace and justice, and in promoting friendly relations with other states. Show that a nation's true glory lies in the creation of free institutions, philanthropy, agricultural and industrial prosperity; in the mental and physical education and the moral elevation of all classes of its citizens. Illustrate the necessary interdependence of nations. Prove the practicability of peaceable living by the example of the conduct of Friends in Ireland and in Pennsylvania at the end of the eighteenth century. Devise moral equivalents for war, utilize the "social principle" and give man's inherent love of pomp and circumstance some outlet other than military training. Convince people that love and charity can take the place of fear and hate, that benefactors of the human race are more to be admired than military heroes, that the victories of peace are greater than those of war and the work of men like Clarkson, Wilberforce or Vincent de Paul holds more of glory than do the conquests of a Napoleon. Because a thing is difficult of achievement is no reason not to attempt it, and because a contemplated reform is considered utopian is no reason against working for it. All the great causes of history have, at one time or another, been pronounced utopian. One of their strongest arguments was an appeal to all true Christians to live up to the highest ideal of Christianity, to practice what they preached. William Allen, the Quaker founder of the London Peace Soci-

ety, asserted that a Christian not merely in name but also in deed could never fight. So an effort must be made to eradicate the human weaknesses that would retard the great reform. Active exertions in the cause of peace must be substituted for indifference, moral inertia, lack of faith in the promises of Scripture, weariness in well-doing and the belief that no special effort is necessary—that the millennium is bound to come without human aid. It is up to Christians to prove that war is not the only pursuit which calls forth the noblest qualities of human nature. And the more one works for a cause, the greater the sacrifices made in its behalf, the deeper will be one's attachment to that cause and the more will one be capable of accomplishing. After all, the Cross is the true symbol for Christians. The last word on this subject may most fittingly be left to Charles Sumner.

As mankind ascend from the thrall of brutish passions. . . . nobler aims, by nobler means, shall fill the soul. A new standard of excellence shall prevail; and honor, divorced from all deeds of blood, shall become the inseparable attendant of good works alone. Far better, then, shall it be, even in the judgment of this world, to have been a door-keeper in the house of Peace, than the proudest dweller in the tents of War.[1]

[1] Sumner, Chas., *War System of the Commonwealth of Nations*, pp. 7, 8 and 71 (for the preceding quotation); Sumner, Chas., *True Grandeur of Nations*, pp. 31-36, 82, 83, 102, 103; Burritt's Works, *op. cit.*, *Lecture on the Physiology of Free Nations, passim*, and pp. 233-235, 281-284; Channing, W. E., *First Discourse on War*, pp. 31-44; *Second Discourse on War*, pp. 53-63; *Advocate of Peace*, Dec., 1835, pp. 330, 331; Victor Hugo's *Address at the Peace Congress of 1849*, printed in A. Fua's *Life of Hugo*, p. 187; Allen, William, *Memoirs* (London, 1846), p. 387; Cobden's *Political Writings*, pp. 82, 85; Dymond's *Essay on War, op. cit.*, pp. 60-76; *Tract IX of the L. P. S.*, by Thos. Hancock, 111 pages (*passim*); *Tract XI of the L. P. S.*, by Necker, pp. 19-24; *Tract XIII of the L. P. S.*, pp. 6-25.

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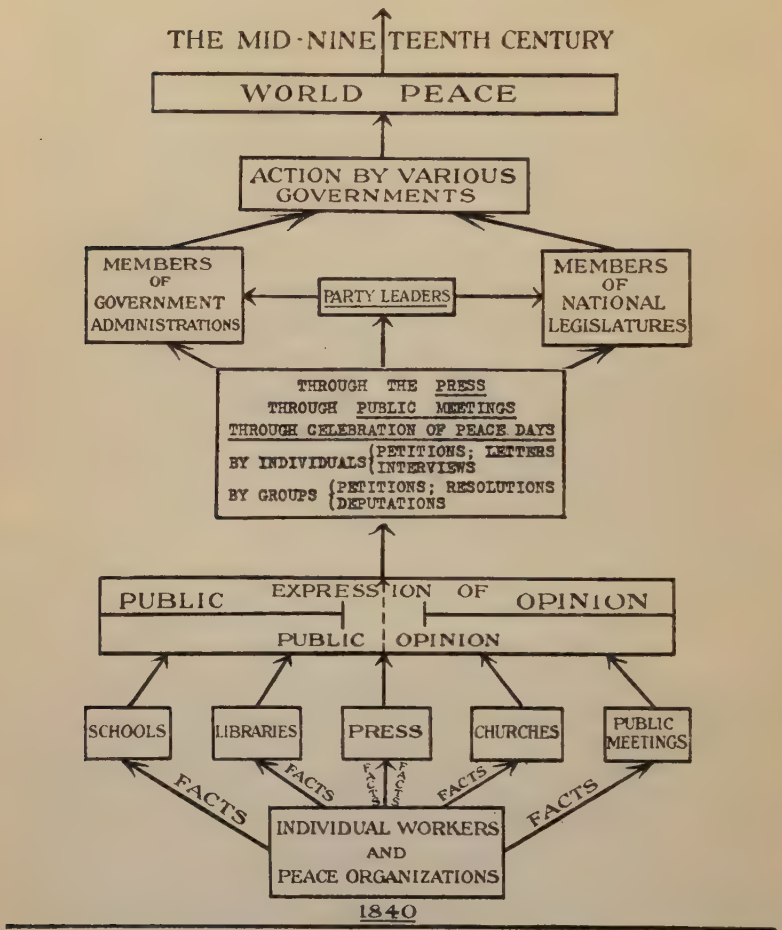
## APPENDIX TO CHAPTER II[1]




[1] Modeled on a diagram "Focusing the Demand for Peace," in *Between War and Peace*, by Florence B. Boeckel, p. 11 (Macmillan, N. Y., 1928).

*N. B.* The only additional channels through which facts can influence public opinion in the twentieth century are the *movies and the radio.*

## CHAPTER III

### Plans for a Congress of Nations

Between 1840 and 1850 the establishment of a Congress of Nations was one of the favorite solutions proposed for international difficulties. Congresses such as those held at Laybach and Verona had proved the possibility of international cooperation; the fact that they had been made the instruments of reaction and oppression was not considered an argument against them. Congresses could equally well become the tools of liberal reformers. There was reason for supposing that, were congresses to be established and controlled by free peoples, instead of despotic and reactionary monarchs, such bodies might become the safe-guard of free institutions and international peace. An international representative organization might be just a forward step in the evolution of democracy. If one is to understand the ideas of this period and sympathize with its optimism, it must be remembered that the average man as well as the idealist believed in the perfectibility of human institutions.

Out of a number of more or less vague or ambiguous proposals for establishing a Congress of Nations, the so-called American Plan stands out as the only one that is clear-cut and to the point. Not that the idea of a Congress of Nations originated in the United States. It was generally known that some half dozen such plans had been proposed by social philosophers between 1603 and 1795.[1] But these schemes

[1] Notably the plans of Sully and Henry IV, Nicole, Émeric Crucé, William Penn, The Abbé de St. Pierre, J. J. Rousseau, Immanuel Kant and Jeremy Bentham.

had all been looked on chiefly as international utopias and the authors thereof had been at no pains either to work out the practical details of their measures, or to get their views adopted. As Burritt remarked at the Peace Congress of 1850, for twenty years Americans had " wrought upon " an idea which was the joint product of French and German philosophers.[1] And to a group of Americans led by William Ladd and Elihu Burritt belongs the honor of having inaugurated a campaign for the establishment of an international congress. The friends of peace in America not only made plans for a congress of nations, they also worked indefatigably to get their proposal acted upon, and tried in every way to induce the Government of the United States to propose its adoption to all the governments of Christendom.[2]

The American Plan, in brief, was as follows. Two distinct international bodies were to be created, a Congress of Nations and a Court of Nations. The Congress was to be the legislature, the Court the judiciary, and public opinion the "executive" of this international government. But in spite of such centralization the nations were to be autonomous units whose active coöperation would be essential to the functioning of the central organization. The first step would be the assembling of a Congress with transient membership and legislative powers. This Congress would, in turn, establish a Court of Nations before taking up its chief work, the codifying of international law. The Court of Nations created by the Congress was to have a permanent membership and be entrusted with judicial and advisory powers.

The Congress would be most easily established by a convention of ambassadors from all the nations that were supporting the measure. Each nation would be free to send as

[1] Burritt, E., *Works* (Boston, 1869), pp. 207-210.

[2] *Advocate of Peace*, 1834, Sept., pp. 89-92; 1842, June, p. 163; Macnamara, H. T. J., *Prize Essay, op. cit.*, p. 296.

many delegates as it pleased, though each national delegation would constitute a " separate college " and be entitled to but one vote and one turn to speak in the discussions. The number of delegates in each unit ought to be uneven lest internal division should nullify its vote. This convention would then adopt what regulations and by-laws appeared expedient to the majority, the minority could withdraw from the convention, and the residue so left—the Congress of Nations,—would choose its president, vice-presidents, secretaries, clerks and other officials. New members might join this Congress at any time provided that each nation desirous of so doing agreed to observe the rules and adopt the international laws which the Congress had enacted prior to its adherence. As the primary object of a congress of nations would be to abolish war between nations, its jurisdiction would be purely international in character. It would have absolutely " nothing to do with the internal affairs of nations, . . . with insurrections, revolutions, or contending factions of people or princes, or with forms of government, but solely . . . concern itself with the intercourse of nations in peace and war." [1] The first concern of this Congress of Nations, after organizing the Court of Nations, would be to commence the codification of international law. The rights of belligerents would have to be defined, the rights of neutrals settled, and measures of general utility agreed upon. Progress in this line would, of necessity, be slow; but the work would be all the better and more lasting for having been done slowly. Each statute, however, need not be submitted to the nations for separate ratification. The completed code could be submitted to each nation as a whole, then such articles as were unanimously adopted by the various governments should be considered as settled points of international law, and the remainder could await further investigation.

[1] *American Prize Essays, op. cit., Essays* vi, p. 524; ii, p. 137.

And until the Code of International Law became operative, the Court of Nations should decide the cases brought before it on the basis of principles generally known and acknowledged.

The provisions for the Court of Nations are even more explicit than those for the Congress of Nations. Such a court should meet once a year, never in a country which had a case on trial, and arrange for its own adjournments. Its members, who were to have the same privileges and immunities as ambassadors, would organize themselves by choosing from their midst a president and vice-presidents, and appoint the necessary clerks, secretaries and reporters. These members, to be appointed by the governments represented in the Congress, would probably number two for each nation, though the Congress might determine upon some other apportionment. Their tenure of office, though probably during good behaviour, would be arranged according to previous agreement in the Congress, as would their salaries: i.e., whether members were to be paid by the governments sending them, or by the nations represented in the Congress, conjointly, in proportion to national population or wealth. The jurisdiction of the Court would cover all cases referred to it by the mutual consent of belligerents, applications made by the hostile factions of any country, and boundary disputes of any sort. In addition, mediation might be legally proffered where war actually existed, or in any difficulty which might prove serious enough to lead to war. Thus nations, exhausted by protracted warfare, might be induced to cease from hostilities; or a point of honor might be peaceably settled to the mutual satisfaction of hypersensitive nations. In a case involving domestic troubles, the Court might be allowed to suggest terms of reconciliation, but "should never officiously offer an *ex parte* verdict" as to the internal affairs of a country. On the other hand, if its advice was

sought, it would be the duty of the Court "to hear the parties, and give their opinion according to the laws and usages of the country asking their advice,"—for example, a case of disputed succession to a throne, as in Spain or Portugal.[1] In boundary cases, the Court would have the power to appoint and send surveyors, at the expense of the parties concerned, to survey the boundaries, collect facts on the spot, and report on their findings. The controversy over the Maine-New Brunswick boundary-line was a good argument for just such action, and the judgment of the U. S. Supreme Court in the case of the Massachusetts-Rhode Island boundary dispute furnished an example of successful judicial settlement. The verdict of the Court should be given on the basis of a majority vote after hearing counsel on both sides of the questions to be judged. And the judgments ought to be rendered on the basis of its congressional law code supplemented, when necessary, by interpretation of existing treaties, or—should both fail to establish the point at issue,—by reference to general principles of equity and justice. One member of the Court, appointed by the majority, should "make out the verdict, giving a statement of facts from the testimony presented to the Court, and the reasoning on those facts by which they come to a conclusion." But the power of the Court was to be merely advisory—comparable to a high court of admiralty without enforcing powers.[2] Lastly, it would be the duty of the Court to suggest laws and bring problems to the notice of the Congress, with a view to legislative action. The members of the Court, more in touch with such subjects than other men, and peculiarly alive to the lacunae of international law because of their constant adjudication of cases, would be in an unrivaled position to offer advice and sugges-

[1] *American Prize Essays, op. cit., Essay* vi, pp. 552, 553.

[2] *American Prize Essays, op. cit., Essay* vi, p. 551.

tions to the members of the Congress. Why should not the Congress and Court of Nations work together for the good of mankind? Why should their members not discuss ways and means of preventing and ending war, and initiate measures designed to advance the prosperity and welfare of nations ?[1]

Before taking up the pacific concerns of a Congress of Nations one or two points remain to be noticed. Should any nation desire to secede from the Congress, provision was to be made for its withdrawal at pleasure, provided that it was not seeking to evade or annul a decision made against it by the Congress. Conversely, any state desirous of becoming a member of the Congress should unquestionably be admitted.[2] A good deal of interest was taken in the matter of national representation in the Congress. Burritt suggested that one representative to every million of inhabitants would give a fair apportionment; but however the actual plan might work out, all were agreed that no one nation, regardless of its size, ought to be allowed to have more than one vote. Absolute national equality would be the only fair principle and, in addition, it would be a real advantage to the Congress if its component nations were equally pledged to maintain peace and were to feel an equal interest in its preservation.[3] Last but not least, there was general agreement that a Congress of Nations should not be modeled on Henry IV's *Grand Design*, or on any other such paternalistic organization. There ought to be no arbitrary division of

[1] The outlines of the above plan are to be found in the *American Prize Essays, op. cit., Essays* ii, p. 137; v, pp. 435, 469-475; vi, pp. 521-525, 550-553, 581, 635.

[2] *American Prize Essays, op. cit., Essays* ii, p. 190; iii, p. 292; Macnamara's *Prize Essay, op. cit.*, p. 226.

[3] Burritt, *Works, op. cit.*, p. 196; Macnamara, *Prize Essay, op. cit.*, p. 229; *American Prize Essays, op. cit., Essays* ii, p. 169; iii, p. 284.

Europe into approximately equal parts, and the Congress must not be a strong central government armed with coercive powers and the right of intervention in domestic affairs. Such a body would become as reactionary as the Holy Alliance, and obliteration of national lines would tend to result in social and political stagnation. The ideal is a "social system of independent bodies; not regulation of their internal concerns, but merely the prevention of external collisions." [1] This is the most striking difference between the American Plan of 1840 and the present League of Nations. The League must take into consideration the internal concerns of nations in their external bearings, for without a limited regulation of national affairs the regulation of international economic interests, one of the principal functions of the League of Nations, would be impossible. In calculating the amount of business that the Congress would have to handle, it was believed that the very existence of such a body would tend to reduce the number of crises and questions needing settlement. The longer it functioned, the more it would diminish the frequency of war and the burden of its own duties. It was even prophesied that, after its establishment, armaments and other similar institutions, which undermine the liberty and waste the resources of a state, would come to be regarded as superfluities and would, therefore, eventually be abolished. Finally, the fact was stressed that such an institution would be novel in form only. In principle it would be merely an improvement of the existing methods of settling national disputes—an "agent" created to facilitate international intercourse, and render "sufficient and effectual" the customary processes of "amicable accommodation, negotiation, mediation and arbitration." [2]

[1] *American Prize Essays, op. cit., Essay* iii, p. 320.

[2] *American Prize Essays, op. cit., Essays* i, pp. 62, 63; ii, pp. 128-130; iii, p. 234.

The problem of sanctions is the great stumbling block in the path of framers of any sort of international government. Then as now, the first question asked of believers in a congress of nations was as to how they proposed to enforce its decisions and stipulations. And yet the would-be founders of an international congress were unanimous in stating that public opinion should be the primary, and might prove the all-sufficient sanction for the decisions of an international tribunal.[1] In discussing the problem of enforcement, again in refuting probable objections, and, lastly, in an effort to prove the practicability of the Congress, they expressed confidence in the efficacy of public opinion. Nor, considering their background, is it surprising that such was their attitude. Inadequate as such a solution may seem to us, we must not be too quick to condemn their optimism. For all the forces that contributed to a general belief in the power of public opinion, all the nineteenth century concepts that were back of the peace movement as a whole (*cf. supra*, pp. 20-23), served to confirm the belief that public opinion was or might be made an adequate enforcing agent. Another thing that must also be taken into account in connection with any American Plan for a Congress of Nations, was that Americans were bound by a traditional prejudice in favor of national isolation. This policy dated from Washington's *Farewell Address* and was re-enforced by the westward-turning of American interests after 1815. Jealous of restrictions on national sovereignty, fearful of entangling alliances and apprehensive of the possible overthrow of republican institutions, the essayists were willing to provide every conceivable safe-guard against the dangers that might result from any strong or restricting international union. They fully realized that it would have been inexpedient to make a plea for coercion, even had they believed

[1] *American Prize Essays, op. cit., Essays* i, p. 70; ii, p. 182; iii, p. 292; iv, p. 400; v, p. 498; vi, p. 600.

in the principle. Advocates of a congress of nations believed that without the backing of public opinion force would be useless, and that with it, force would be superflous. But no machinery was devised through which public opinion could function. Presumably the nations, individually or collectively, were to carry out the decisions of the Congress and Court of Nations as though they were bailiffs or sheriffs executing the judgments of a civil court. However, some possible supplementary sanctions were suggested. For example, the high contracting parties might give a guarantee for every decision of the Congress, after the manner of the Franco-Swedish guarantee of 1648, given at the Peace of Westphalia.[1] One of the essayists outlined a tentative system of forfeitures or disabilities which could be visited on any nation violating its obligations under the compact. Any compulsory measures, short of war, would be justifiable, and national outlawry might include "humiliating censures, blockades, captivity of subjects wherever found, and non-intercourse."[2] It was generally conceded that non-intercourse would be a justifiable measure, but not an expedient or practicable one. The fact that non-intercourse, *if enforced,* would be a "more terrible coercive agent" than war, would make nations reluctant to invoke a precedent that might be used against them later. Also, the general disruption of trade and the injury to commerce, shipping and industry involved in such a measure would react as much against the prosperity of the enforcing nations as it would against the delinquent nation. On the whole, the consensus of opinion favored enforcement through public opinion only. Decisions of the Congress of Nations were to be regarded "in the light of a treaty, guaranteed by the general sanction of the law of

[1] *American Prize Essays, op. cit., Essays* ii, pp. 154-156, 177-79, 182, 185; iii, pp. 242, 292, 295, 306; v, p. 498; vi, pp. 599-602.

[2] *American Prize Essays, op. cit., Essay* ii, p. 191.

nations." [1] And public opinion, coupled with recognition by the nations that it would be expedient to support their own international organization, would be strong enough to compel obedience to the decrees of a congress that had been strong enough to issue them in the first place. The very existence of a tribunal, competent to adjudicate international disputes, would tend to induce nations to comply with its decisions because they would feel the want of a plausible excuse to do otherwise. Or, to put the matter another way, it is the emotional and mental outlook of peoples that conditions their relations with each other. The will to peace must "result from the relations we establish between nations, from the removal of the causes of collision, from the excellence of the pacific institutions introduced." [2]

On turning from the vexed question of sanctions to the pacific concerns of the Congress, one finds in this department its most modern as well as its most important feature. The following chapter dealing with the codification of international law covers most of the proposed legislative work of the Congress, all measures that would affect international relations in time of war. But necessary as is the regulation of belligerent and neutral rights during war time. there are measures of the utmost importance, plans of general utility, for which the cooperation of nations is required in time of peace. First and foremost in our eyes is the suppression of the slave trade. Quite obviously concerted action was indispensable for its abolition. Professor Upham stated in his essay that between seventy-five and one hundred thousand slaves were annually kidnapped and deported from Africa, and he referred to the London Conferences of 1817 and 1818 for plans to suppress it. Russia had then

[1] *American Prize Essays, op. cit., Essay* iii, p. 292.

[2] *American Prize Essays, op. cit., Essays* iii, p. 314 and v, pp. 459, 468.

proposed to Great Britain, France, Austria and Prussia that an international "supreme council" be established, with head-quarters on the African Coast, to put an end to the enslaving and deporting of negroes, and the Council was to render an account of its administration to the congress or conference of nations concerned in its establishment. Such a suggestion was admittedly an important precedent for any plan of joint action between the nations.[1] Of almost equal importance was the abolition of piracy. But many felt sure that piracy would automatically cease as soon as wars ceased because wars were commonly considered to be the nursery of pirates. As to constructive measures, it was generally recognized that improvements in international communication might be undertaken with great advantage to all nations. Railways and canals should be constructed across such strategic places as the Isthmus of Panama and the Isthmus of Suez; lights and buoys constructed on uninhabited or barbarous coasts or straits which were frequented by the ships of civilized nations; and the principles of salvage, or the disposal of wrecked property and vessels abandoned at sea ought to be better defined and established, as well as the general principle of the free navigation of bays and rivers. International agreements should be made to remove tariff barriers and other obstacles to free trade, and international uniformity should be aimed at in the matter of patents and copyrights, coinage, weights and measures. William Ladd even proposed that an international post-office should be established which should extend all over the world. There was a precedent for the interest taken in the subject of weights and measures, for John Quincy Adams in his report to Congress in 1817 had suggested that the United States "consult with foreign nations for the future and ultimate establishment of universal and permanent uniformity" in

[1] *American Prize Essays, op. cit., Essay* iv, pp. 383-389.

this matter. As he pointed out, what France did within French territory in 1795 could, eventually, be extended to include all the nations.[1] In the domain of national laws much might profitably be done. Judge Story's work on *The Conflict of Laws,* a book that Professor Upham considered the strongest of arguments for a congress of nations, constituted a plea for international uniformity along certain lines in that it showed up the serious difficulties resulting from conflicting national laws. There should be a uniform law to enforce contracts made in one country, and carried out in another, or made by citizens of different countries—such as marriage. Today such a law is not considered practicable, although there are laws which regulate residence so that contracts may be made in conformity with the residential laws of various countries. The differences in the laws of various countries as to majority, or the legal age for making contracts; the validity of witnesses and certificates in giving evidence and proofs; what constitutes a domicile, and questions pertaining to marriage, divorce, inheritance and property rights all need standardization. Harmonious relations between states would be more easily preserved if there were uniform laws covering these points which would obviate any clash of individual interests.[2] There ought also to be a law governing the surrender of felons and debtors, and the right of extradition for political criminals and refugees. Some thought with Burlamaqui that all felons should be given up as a matter of course; others, disciples of Pufendorf, maintained that a nation should not deliver them up unless there were a treaty stipulation to that effect. Turning to other matters, an international agreement should be made limiting armaments. Measures, then as now, were needed for a

[1] *American Prize Essays, op. cit., Essays* iv, p. 363; vi, pp. 546, 547.

[2] *American Prize Essays, op. cit., Essay* iv, pp. 365-368.

simultaneous reduction of the military and naval establishments of Christendom which should either fix the number of ships, limit their size, or limit the weight of metal every ship could carry. The immense sums thus diverted from armaments could be used to foster art, commerce and philanthropy. Certain miscellaneous points needed settling such as the right of discovery and colonization, because misunderstanding on this subject had often caused wars in the past. Also, the rights and immunities of ambassadors should be defined with exactitude. It went without saying that the persons, domestics and property of diplomatic agents ought to be exempt from arrest for debt, but should such immunity extend to criminal offences: ought criminal offenders to be given up to their own countries for punishment, or should they be liable to imprisonment? And should an ambassador's house furnish asylum, give protection to criminals or debtors who are nationals of that embassy but otherwise unconnected with it?[1] In addition, Upham was interested in promoting certain humanitarian reforms. He suggested outlawing some crimes against humanity such as human sacrifices, infanticide, the burning of widows, the practice of torture and excessive and revolting punishments; and he recommended several positive, humanitarian measures. For one thing, provision might be made for nations to relieve each other when suffering from famine. Similarly, natural, inalienable rights might be safe-guarded, such as the right of an individual to equal and impartial justice, to personal safety, to a free conscience and the right to "improve and perfect the powers" with which he is born. One reason given for favoring the Congress of Panama in 1826 might have some bearing in the present case, namely, the President's claim that citizens of the United States in "the new nations

[1] *American Prize Essays, op. cit., Essays* vi, pp. 545-548; iv, pp. 372, 373.

of the South" be allowed freedom of worship.[1] Last of all, Ladd suggested a measure calculated to promote harmony between the nations of Christendom. He said that the Congress would be "the proper place to agree on the general restoration of all military trophies and captured standards." Their retention and "vain-glorious display" would be an insult to Christianity and to common sense, for national animosities ought never to be fostered in such a way. For the same reason, the names of victory streets should be changed, and triumphal arches destroyed. Proof of the good feeling that could be created by a chivalrous attitude was given at Madrid in 1823, when the French, with fitting ceremony, restored the Spanish standards which they had captured.[2]

So much for the nature, organization and labors of the proposed Congress and Court of Nations. The next step for the authors of the American Plan was to refute current objections to it and prove, as far as lay in their power, the practicability of the scheme they had evolved. Only after thus preparing the way could they hope to take active measures for the launching of their project. To begin with, historical precedents in its favor furnished a standing argument to prove two things. First, not only that others hoped and planned for the establishment of such a body, but also that various and sundry attempts had actually been made wherein groups of peoples or nations had united and pooled their interests to mutual advantage. In the second place, they realized the necessity of showing that their ideal congress would be free from the shortcomings of all previous international experiments, and so to prove that most of the current criticisms of their plan were irrelevant. Back of the very first leagues and alliances was man's tendency to

[1] *American Prize Essays, op. cit., Essay* iv, pp. 359-361, 371.

[2] *American Prize Essays, op. cit., Essay* vi, p. 549.

assemble into communities, and the widening circles in which family organizations have yielded to tribal, and tribal to national units. It was believed, not illogically, that the third step would be a union of the nations in order to abolish war. The first leagues that they mentioned were, of course, the Greek, not only because the Greek were the first on record, but also because examples drawn from classical history were sure to appeal to nineteenth-century readers. Brief descriptions were given of the Amphictyonic Council, the Achaean League and the Lycian Confederacy. Passing over to the middle ages, the Hanseatic League and, later, various Germanic Confederations were sketched. Most relevant of all was the Swiss Confederacy or Helvetic Union, as it was commonly called. The civil part of this institution, the diet and court of judges or arbitrators, was the nearest working model of the proposed congress and court. For contemporary instances of coöperation, advocates of an international congress were able to point to the model case of the United States of America, to the Holy Alliance and to the Panama Congress of 1826. Of these three the United States was too "intimate" a union for their purposes, the Holy Alliance had become a reactionary body—an "engine of oppression,"—and the Congress of Panama had proved a failure.[1] All previous plans and precedents, in addition to specific drawbacks, shared three weaknesses in particular. The first touched the motive of all previous leagues and confederacies. Nations had entered into defensive or offensive alliances for various reasons,—for protection and security, and to promote their economic interests; but they had never united for the sole purpose of preserving peace. The two other weaknesses were constitutional. All previous unions admitted two principles which impaired their utility, and

[1] *American Prize Essays, op. cit., Essays* i, p. 83; v, p. 484; iii, pp. 312, 315; vi, pp. 566-578.

from which this nineteenth-century plan was free: they had relied on the sword to enforce their decrees, and had united in one body the legislative, judicial and executive powers—thus opening the door to confusion and intrigue. Furthermore, previous international bodies had been *impermanent* rather than permanent, and therefore unable to anticipate and forestall potential conflicts; they had been *partial,* or limited to the interested nations, instead of being comprehensive and universal in character; and they had been *remedial* rather than preventive, *diplomatic* and *consultative* rather than legislative.[1] There were, of course, special reasons for the failure of the Congress of Panama. The South Americans, but lately emancipated, were not the people to undertake such a congress; Panama was so remote, the climate so bad, that many eminent statesmen were deterred from attending the gathering; and Bolivar, who called the Congress in part for his own ends, was too reactionary a character to make a success of the experiment. In short, only certain features of these previous congresses, councils and leagues entered into the new plan: their pacific characteristics were to be incorporated, but reliance would be placed solely on *moral* power, agreements and mediation.[2]

Realizing that they stood very much alone, on the defensive, the authors of the American Plan set out to rout their opponents by systematic refutation of the principal arguments brought against them. They recognized the fact that, as an innovation, such a Congress would necessarily be looked upon with suspicion, as are all innovations. Moreover, Ladd maintained that most people would oppose the creation of such an institution either because they were too lazy to find out just what was proposed, or else because, with

[1] *American Prize Essays, op. cit., Essays* i, pp. 77, 87; iv, p. 357; vi, p. 610.

[2] *American Prize Essays, op. cit., Essay* vi, pp. 555, 576-579, 581.

a smattering of information on the subject, they would fasten upon some point—probably an irrelevant one,—and object to the whole scheme on account of the single weakness they might perceive in it. Any prejudice so conceived would be likely to cloud their vision and close their minds to argument. They would refuse to consider how the probable good might offset the possible evils inherent in international organization. After all, human institutions are necessarily fallible; even the best of them rarely, if ever, "fulfils what in spirit it guarantees." [1] Until it was actually established, its short-comings could not be concretely dealt with; but they might be eliminated as its efficiency increased with use. Suppose the worst, that the Congress was unable to enforce its decisions: war would still be the last resort, as under the present régime. That a good thing is liable to abuse is no argument against its adoption—if it were, there would be no progress or improvement in human affairs. At all events, occasional failures would not impair the "general utility" of a congress of nations, would not detract from its adequacy and efficiency in nine out of ten cases. The negative and often injurious results of previous congresses are irrelevant. One must remember the differences noted between them and the proposed congress. Hitherto such assemblies have been on a small scale, limited to a few nations, held during or immediately after a war, and their object has been to seek a way out of existing difficulties rather than to promote or establish peace with justice on a durable footing. But a universal and permanent tribunal would labor to prevent as well as to remedy evils. Its principles would be fixed, and in accordance, so far as possible, with justice and benevolence.[2] Take it for granted, then, that the conservatively-minded will object to the creation of additional international

[1] *American Prize Essays, op. cit., Essay* ii, p. 136.

[2] *Ibid., Essays* v, p. 502; ii, p. 135; iv, p. 404.

machinery. But such a congress would be less of a novelty than an improvement; it would be a middle-man or agent whereby existing processes of settling national disputes could function more smoothly, not to say more rapidly. Obviously, however, even the creation of an agent would alarm ultra-conservatives, so it must be demonstrated that a congress of nations would be useful as well as harmless. One point is beyond dispute. A permanent body of trained judges would be more impartial and unprejudiced than a single umpire, and their exposition of a case would be more lucid and intelligible than that of one, untrained individual. Also, a number of trained men would have both time and opportunity for research into any given question. Therefore a verdict rendered by a group of men would be more likely to prove satisfactory, and more suitable as a precedent in developing a body of custom law, than the verdict of any individual. Of course, one of the important features of the work of the congress was to be the preparation of an international law code, but until the completion of the code, judgments ought to be as little haphazard and arbitrary as possible. It was feared that some people objected to the plan because of its expense. But advocates of an international congress insisted, on one hand, that it would not cost a nation "so much as the maintenance of a single gun-boat;" on the other, that such a substitute for war would save "thousands of millions, pay off the national debts of all countries, decrease the taxes seven-eighths, and leave a large fund for internal improvements, education and every useful work." [1] Naturally enough, the two most serious objections to the congress are the hardest to refute. Could an independent international body endanger existing institutions,—would it be a menace to national sovereignties and concentrate too much power in

[1] *American Prize Essays, op. cit., Essays* vi, p. 605; also, i, pp. 52 and 60; ii, p. 130 and vi, p. 603.

the hands of a few men? Or, if it did not prove strong enough for that, would it not be too weak to enforce its decrees? The problem of whether a congress of nations would be dangerous to existing governments was dismissed by asserting that the congress would concern itself with international affairs only, not with the internal affairs of nations. Also, no member of the confederation was to be bound by any law which it had not ratified, and no article of international law was to be considered valid without the unanimous backing of the nations. Last but not least, it must be borne in mind that no physical force was to be entrusted to this body. Any fear of thus establishing a universal monarchy was completely without foundation, for, as was pointed out, what could be more opposed to such an idea than an "institution amenable to the governments, representing them, dependent on them, its members often changed, its powers delegated, limited and revocable"?[1] The nations and their peoples would operate as checks upon each other. The governments, as mediators, could keep the peace between the peoples, internally and externally, and collaborate to moderate their "factiousness." Conversely, the more democratic the character of this international institution, the greater the safeguard against the autocratic tendencies of the nations. For the congress to violate the sovereign authority of any individual state would be tantamount to inviting self-annihilation, but at the same time, it is imperative that national partialities, jealousies and intriguing be neutralized and rendered impotent. Undoubtedly conflicting interests might imperil the usefulness of the congress, but there is no reason to think that problems involving national interests would be harder to deal with than under the war system. The same objection can be raised and similarly over-ruled in regard to the iniquities to be

[1] *American Prize Essays, op. cit., Essay* ii, pp. 177, 179.

looked for from politicians. In short, the net result of establishing a congress of nations would be to make it impossible for any nation, unless it has the sanction of the congress, to declare war on another nation without violating the law of nations. To the extent that parting with this "odious custom" is a loss of sovereignty, the states would suffer a loss; but at least every country would incur equal loss.[1] Upham realized the difficulty of giving equal votes to nations that are of unequal size and power. But in no other way could the independence of the various countries be guaranteed. He remarked, philosophically enough, that the same difficulty had been met and solved in different ways at different times by the Achaean and Amphictyonic Leagues, the German Confederacies, the Swiss Cantons, the Republic of the Netherlands, the United States and successive European congresses. Organizers of a modern congress of nations should certainly steer clear of all objectionable parts of previous international confederations, but that is no reason why they should not look to them for helpful suggestions. One of the essayists, thinking that exception might be taken to the judicial supremacy of the congress, went out of his way to explain that as "the highest court of appeal" it could not "render inferior any other supreme tribunal," for appeal to the Court of Nations would come from no other court, but the national governments themselves would act as "the parties appellants."[2] Mention of the international court raises a question as to the impartiality of its decisions. Ladd recognized the possibility that the judges, most of whom, at this period, would have represented monarchies, might be influenced by their prejudices against republics. And he

[1] *American Prize Essays, op. cit., Essays* vi, pp. 599-602; ii, pp. 133, 154, 156 and 175, quoting Burlamaqui, iv, p. 402 and v, p. 438.

[2] *Ibid., Essay*, ii, p. 158; and for Upham's answer to the giving of equal votes, *Essay*, iv, p. 403.

foresaw that, as the verdicts of the court were to be rendered by a majority of judges only, Americans would be afraid of discrimination against republics. His answer to this objection was two-fold. He said, first, that it was by no means certain that absolute monarchies would be more numerously represented than both republics and limited monarchies. Secondly, he claimed that political partialities would be less likely to bias judges than religious prejudices, and that the latter had never caused Catholics to suffer at the hands of a protestant jury in the United States.[1] In reference to the last point, that of sanctions, enough has already been said (*cf. supra*, pp. 110-112). The same arguments that were used in defence of public opinion as an adequate executive agent for a congress of nations are indirect refutations of this objection. That there is no provision for enforcing its decrees is an objection that could be urged against any one nation making a treaty with another:—how would the whole treaty, or any clause of it, be enforced if one of the signatories chose to disregard it and defy public opinion? At all events, the case for a congress of nations was not based on the unquestionable efficiency of the plan proposed. As the framers of the first petition to Congress put it, if there was a tendency in the scheme to prevent wars, or if there was only a "remote probability" of its preventing even a single war, the nations ought to make a trial of it.[2]

The practicability of establishing a congress of nations is a subject closely akin to the refutation of possible objections to a congress. The arguments for both are frequently identical, and in both cases, largely academic. First, the authors of the American Plan discussed the means to be used for the launching of the international tribunal; next, they examined the circumstances which were considered favorable to its

[1] *American Prize Essays, op. cit., Essay* vi, p. 602.

[2] *Ibid.*, Appendix, p. 663—the first petition to Congress, 1837.

establishment. They agreed to work through the national legislatures, and, to do so, it was necessary to educate the masses, to rouse them to a sense of the vital necessity for international cooperation, and then let them bring pressure to bear on the governments. In the United States, pressure exerted on the state legislatures would result in the passing of resolutions in favor of the project. Then individuals, peace societies and the state legislatures could bring the same kind of pressure to bear on Congress, with the same end in view. Once Congress had adopted resolutions in favor of establishing a congress of nations, the United States Government could seek to win other governments over to the cause. In England the same tactics might be followed so that, by means of petitions to Parliament, Great Britain would eventually join with the United States, and together they could bring effective pressure to bear on France. It is an error to suppose that all Europe must agree to the congress before it could be established. That was one of the mistaken notions in all previous plans. Let but the United States, Great Britain and France coöperate, and the enterprise would be assured of success. Let these three countries extend a general invitation to Christendom, and the probability is that Russia, Austria, Spain, Portugal and Italy "would not see such great movements going on, without taking a part; but they would go on—whether these powers took a part in them or not." [1] In case it were to prove impossible to get legislative action in support of the plan, propositions might be made to the European governments by ministers, or treaties entered into with three or more nations which would provide for the establishment of a court of appeal, formed by specially chosen delegates, competent to settle questions of international law. This would be a first

[1] *American Prize Essays, op. cit., Essays* vi, p. 630; also, vi, pp. 583, 628 and 629.

step, as it were.[1] Conversion of the masses to a realization of the importance of the proposed congress should be the primary aim of all friends of peace, for the initiative must be taken by democratic states whose governments are the most sensitive to the pressure of public opinion. But monarchies and despotically governed states must be induced to cooperate as far as possible. Cardinal Fleury's criticism of St. Pierre's *Projet de paix perpetuelle* was taken to heart by the nineteenth century advocates of an international congress: St. Pierre, said the Cardinal, "had forgotten one preliminary article, which was the delegation of missionaries to dispose the hearts of princes of Europe to submit to such a diet."[2] Peace societies were supposed to furnish these missionaries and convert the rulers in monarchical, the people in mixed and republican governments. As to the factors which were reckoned on for success in the establishing of a congress, they were identical with those which contributed to optimism on the subject of peace in general (*cf. supra*, pp. 18-20). The authors of the American Plan were genuinely confident of the eventual establishment of an international congress. Ladd struck the key-note of their optimism when he said that "there is one general principle of human nature which ought not to be left out of our account, and that is, that when men meet together with a sincere desire of doing anything which ought to be done, that very desire and that very meeting are guarantees that the thing they contemplate will be done."[3] What, after all, could be more desirable, more worthy of a supreme effort than the establishment of a congress of nations? A desire to save life, to live on a higher plane, morally and physically, than by-gone generations,—all this is comprehended in a

[1] *American Prize Essays, op. cit., Essay* i, p. 51.

[2] *Ibid., Essays*, vi, p. 584; also pp. 627-629 and iii, pp. 335 and 338.

[3] *Ibid., Essay*, vi, p. 621.

determination to end war. And they thought that nothing would be more likely to end war than the existence of a tribunal to which rulers would turn, as a matter of course, with the expectation of having their disputes settled; an institution whose very existence would preclude the possibility of governments deceiving their subjects or themselves into thinking that war was inevitably forced upon them.[1]

Who can say what influence these plans had? Unquestionably they caused a stir and set people to thinking along the line of international organization. But equally unquestionably they were eventually shelved, and the friends of peace in England and America modified their demands and concentrated their immediate efforts upon a more readily attainable goal.[2] That they shifted their attention to agitating primarily for stipulated arbitration might have been due to several reasons. For one thing, the American petitions to Congress in behalf of establishing a congress of nations were tabled, and with them vanished any chance that the friends of peace might have had of getting the United States Government to back their project.[3] Then the peace congress which was held in London in 1843 was largely under the influence of English-

[1] *American Prize Essays, op. cit., Essays* v, pp. 440 and 447; vi, p. 625.

[2] *Advocate of Peace* for 1842 and Nov., 1845; Curti, M. E., *Movement for International Peace in the U. S., op. cit.*, pp. 478 and 479.

[3] Petitions for the establishment of a congress of nations, sponsored by the American and other peace societies of the U. S., were sent to Congress in Nov., 1838; Feb., 1839; Dec., 1841 and Feb., 1842. The Report made on the proposition by Mr. Legare, chairman of the Senate Committee on Foreign Relations, 13 June, 1838 was a well-considered, fair and sympathetic document. Even according to the *Advocate of Peace,* it was "an able, . . . frank, manly (and) philosophical discussion of the subject." Legare's objections were twofold: he advised against the plan on the ground that it would be impossible to get the nations to agree to such a measure, and also because he thought that, even if established, such a congress would prove to be inefficient for the accomplishment of either its legislative or judicial purposes. *Cf. Advocate of Peace,* Nov., 1838, pp. 139, 142.

men who believed in the superior efficacy of arbitration. Cobden, to whom many English friends of peace looked for advice and counsel, believed that it would be "to the last degree inexpedient" to attempt the establishment of an international congress.[1] The United States was the stronghold of the movement for a congress of nations, but after Ladd's death in 1841 many of his followers looked to Judge Jay for leadership; and Jay, like Cobden, had a greater belief in the practicability of arbitrating national differences than in establishing a congress of nations.[2] The shift of emphasis was, of course, slow. But organized effort in behalf of an international congress was definitely on the wane by the middle of the century. Perhaps the coup de grâce was given to such projects by the outbreak of the Crimean War in 1853, with its accompanying set-back to the peace movement as a whole. When the peace movement was resurrected thereafter, its immediate objective had changed; the Treaty of Paris of 1856 marked an advance in cooperation between the European nations in their piece-meal formulation of international law; and the International Law Conferences of 1873 inaugurated the gradual codification of international private law.[3] Most decisive of all, the successful settlement of the

[1] Cobden, R. to Joseph Sturge, 15 June, 1849, a letter printed in the *Herald of Peace* for July, 1849, p. 333.

[2] Macnamara, H. T. J., *Prize Essay, op. cit.*, p. 296; *Herald of Peace*, Feb., 1846, p. 29; *Advocate of Peace*, June, 1842, p. 163; *N. B., The American Peace Society* believed that arbitration could still be resorted to in case the efforts to create a congress of nations were to fail; but that concentration on plans for arbitration would "put back for ages" any hope of establishing a congress. As late as 1864 Burritt, speaking of the "triad", stipulated arbitration, proportionate and simultaneous disarmament and a congress of nations, called the congress "the top and crowning stone of the edifice," and the two others the scaffolding on which a congress might be reared. *Cf.* Burritt's *Works, op. cit.*, p. 256—speech before the London Peace Society, May, 1864.

[3] Miles, J. B. and Charles Lucas, in the *Advocate of Peace*, Oct., 1873, p. 77 and March, 1874, p. 23.

Alabama claims by arbitration in 1872, and the satisfaction with which this peaceful adjustment of difficulties was hailed in both America and England, immeasurably strengthened the arguments of the advocates of stipulated arbitration.[1] Accordingly, after 1873, the movement for the development of international law and international arbitration went hand in hand to the exclusion of other peace plans. By 1896 Benjamin F. Trueblood, corresponding secretary of the American Peace Society, was able to write that "the repeated success of temporary commissions and courts of arbitration during this century in settling many kinds of international differences has gradually turned attention to the question of the adequacy and superior utility of purely judicial methods in such cases."[2] The most one can say is that all hopes and plans for the establishment of a permanent congress of nations lay dormant until 1919. The War of 1914-1918 proved that neither existing machinery for arbitrating international disputes, nor conventions, dedicated to the codification of international law, such as those of the Hague, were sufficient to prevent the outbreak of a war greater, more literally international in character, than any that had previously been fought.[3]

[1] Witness the Motion adopted by the House of Commons, 8 July, 1873, in favor of the reform of international law and arbitration, and the subsequent, similar action taken by the Italian Chamber of Deputies (*cf. infra*, pp. 159). Also, the American petitions to Congress in favor of multilateral treaty stipulations for obligatory arbitration: Report of the American Peace Society, *Advocate of Peace*, June, 1874, pp. 41-45.

[2] *Advocate of Peace*, Nov., 1896, p. 246.

[3] *See Appendix I* for comparison between the proposals of 1840 for a congress of nations and the League of Nations.

## CHAPTER IV

### The Movement for the Codification of International Law

Certain international reformers strongly advised that the codification of international law be undertaken. Advocates of a congress of nations were especially urgent, and all their plans provided for codification as the principal and most important work of an international congress. The first proposals therefor came from the American Prize Essayists in 1840. Their suggestions, expanded by Elihu Burritt at the Brussels Congress of 1848, were included in the platforms of the first five peace congresses. The fact that one of the principal objects of the proposed congress of nations was the drafting of a code of international law; and the belief of many international reformers that codification was necessarily prerequisite to any general resort to arbitration accounts for the concomitance of the two plans. At first codification was inseparably linked, not only with plans for an international congress, but also with the creation of a high court of nations: the proposed congress was to provide for both. The formula as standardized at the Paris Peace Congress is as follows: "the Congress recommends all the friends of peace, to prepare public opinion in their respective countries, for the formation of a Congress of Nations, whose sole object it should be, to frame a code of international laws, on just principles, and to constitute a supreme court, to which should be submitted all questions relating to the reciprocal rights and duties of nations." [1] The peace congresses of 1850 and

[1] *Reports of the Peace Congresses, op. cit.*, p. 65; 3rd resolution of the Congress of 1849. See also pp. 16 and 24 for the 3rd resolution of

1851 continued to advocate the codifying of international law even though they ceased to emphasize the necessity of establishing a congress of nations.[1]

Then as now there was disagreement amongst statesmen and lawyers as to the efficacy of codification. William Oke Manning, for example, disapproved of it on the ground that it would be difficult, if not impossible, to formulate a code which would be acceptable to all states.[2] Others were alive to the dangers thereof; aware of the fact that the codification of law, whether national or international, tends to arrest progress, whereas law uncodified is more flexible and consequently more capable of growth and the assimilation of new rules.[3] But the international reformers who urged codification had sufficient faith in the sanctity and efficacy of *law* to believe that national frictions and causes of friction could be legislated out of existence. By 1840 international law was well recognized in the relations of governments and its position accepted by publicists. The would-be codifiers, however, had only a vague and indefinite conception of the existing state of international law, of its origins and potential development.[4] They believed that in-

the Peace Congress of 1848 at Brussels. *Advocate of Peace*, Oct., 1843, p. 118, for the 8th resolution of the London Peace Convention, 1843; *cf.* Appendix II A for the resolution of the Legislature of Massachusetts 1844.

[1] *Reports of the Peace Congresses, op. cit.*, pp. 51 and 67; Resolution vi of the Frankfort Congress; Resolution vii of the London Congress.

[2] Manning, W. O., *Commentaries on the Law of Nations* (London, 1839), p. 494 of 1875 edition.

[3] Field, H. M., *The Life of David Dudley Field* (New York, 1898), p. 227; quoting Lord John Russell.

[4] E. g., *American Prize Essays, op. cit.*, Essay ii, p. 143; Essay iv, pp. 391-398; *Advocate of Peace*, 1834, vol. i, pp. 35-44; Feb., 1839, p. 195. Contrast these ideas with the statements in: Moore, J. B., *A Digest of International Law* (Washington, 1906), I. 1–1; Hershey, A. S., *The Essentials of International Public Law and Organization* (N. Y., 1927), p. 84.

ternational customary law, refashioned, was the sole effective weapon with which to fight international anarchism; and that to become operative, this existing body of law had to be purged of vicious customs, its conflicting and obsolete principles eliminated, and new principles added. Custom and usage thus clarified and strengthened, embodied in a code and enforced by all ratifying nations, would, they thought, hold a potential solution of whatever difficulties might arise in international relations or crises which presaged war.[1] Advocates of codification depended on Justice Story and Henry Wheaton for most of their statements of fact, and drew indiscriminately upon Grotius, Vattel, Pufendorf, Van Bynkershoek, Burlamaqui and Azuni in support of their arguments. But their chief excuse for urging codification was the existence of what a *Westminster Review* writer of 1847 termed "quaestiones vexatae," questions which were chronic provocations or menaces to international peace. Privateering, the right of search, the ethics of armed intervention by one state in the internal affairs of another, the legitimacy of paper blockades, whether neutral states ought to allow the recruiting of mercenaries within their territories or grant right of way to belligerent armies—these and numerous other unsolved questions concerning the rights and duties of neutrals and belligerents.[2]

The best résumé of the subjects to be covered by an international code is given by the authors of the American Prize Essays. They presented, one by one, the standing

[1] *American Prize Essays, op. cit.*, Essay ii, p. 144; Essay iv, pp. 391 and 392; Essay vi, p. 522; Macnamara's *Prize Essay, op. cit.*, p. 239; Burritt, E., *Works, op. cit.*, p. 193.

[2] *Westminster Review*, July, 1847, p. 365; *Advocate of Peace*, April, 1839, p. 251; *American Prize Essays, op. cit.*, Essays i, pp. 54-59; iv, p. 362; vi, pp. 529-543. See general bibliography for the works of the above-mentioned writers on international law, the titles and dates of publication of their works.

problems of belligerent and neutral rights with a brief discussion of the main points at issue; and they made frequent reference to conflicting authorities. According to them, belligerent rights fall under eleven principal headings, and the assumption was made that such rights should have their limits. No exception was taken to this stand until J. S. Mill, writing to Cobden in 1862, argued that the more onerous the conditions of warfare, the sooner would a country be willing to end a war which it had begun.[1] If there must be wars, care should be taken to "violate the law of God as little as possible" or, as Montesquieu put it, for nations to do each other as little harm as possible without actually endangering their own interests.[2] For instance, is it ever justifiable to kill or to enslave prisoners of war? According to Burlamaqui the killing, and to Vattel the enslaving, of prisoners is permissible under certain circumstances.[3] It was believed that the rights of the matter ought to be established by international agreement. But first of all, it must be determined when, if ever, it is right for one nation to declare war against another. If all means of obtaining justice have been tried and have failed; if a nation has either refused negotiation or arbitration, or has refused to abide by an arbitral decision, then, if ever, it would be right to go to war. In the matter of waging war, the lawful means of destroying an enemy must be decided upon. "Is it right to poison an enemy's food, or his springs and wells of water, to use poisoned arms, . . . (to use) such missiles as broken glass bottles and rusty nails, which inflict almost incurable wounds, to make use of

[1] Morley, J., *Life of Cobden, op. cit.*, vol. ii, p. 492.

[2] *American Prize Essays, op. cit.*, Essay vi, p. 525; Macnamara, H. T. J., *Prize Essay, op. cit.*, p. 238, quoting Montesquieu: "les diverses nations doivent se faire . . . dans la guerre le moins de mal qu'il est possible, sans nuire à leurs véritables intérêts."

[3] *American Prize Essays, op. cit.*, Essay vi, p. 526, citing Vattel iii, 152 and Burlamaqui, pt. iii, c. v, 8.

torpedoes, fireships, mines, etc., . . . Is assassination to be allowed; and under what circumstances? (Burlamaqui holds that it is, under certain circumstances). . . Should deserters be employed against their own compatriots?" [1] This problem is particularly interesting in view of the outcry, during the Great War, against the use of poison gas, submarines, etc., . . The next point in order has to do with the confiscation of private debts. Should a nation have the right, "by declaring war, . . . to confiscate private debts due from the enemy to its own subjects?" Vattel believes that such debts ought either to be confiscated, or their payment withheld during the war. Should the Americans, for example, have confiscated the debts due from American to British subjects during the American Revolution? [2] Many questions as to the routine of warfare needed settling. The nature of a truce, the formalities of intercourse between belligerents, what degree of protection should be secured by flags of truce, to what protection heralds are entitled; what ought to be the nature of parole, ransom, safe-conduct and the terms of exchange for hostages? What should be the treatment of spies, deserters, and prisoners who have violated their parole? Who may be made prisoners of war? If non-combatants *on land* are considered exempt from capture, why should not sailors engaged in commerce only—"the farmers of the sea"—also be exempt? And as to killing non-combatants, how can it be considered right to kill unresisting persons who are "guilty of no offence but being made enemies by proclamation?" [3] Then there is the question as to what property is liable to capture. Where is the logic of respecting private property on land, and permitting the capture of private prop-

[1] *American Prize Essays, op. cit.*, Essay vi, pp. 526, 535, 527.

[2] *American Prize Essays, op. cit.*, Essay vi, p. 527.

[3] *American Prize Essays, op. cit.*, Essay vi, pp. 528-530.

erty on sea? If even fishing boats and vessels on the stocks are exempt from capture, private property afloat ought, logically, to be equally safe from seizure, detention and confiscation. Also there should be an agreement between the nations to respect "missionary stations, settlements on barbarous coasts for benevolent purposes, light-houses, buoys, beacons and even military hospitals of an enemy," and voyages of discovery might be guaranteed freedom from molestation, after the example of the Americans who agreed not to molest the squadron of Captain Cook. Lastly, ought compacts made between two nations automatically to end upon a declaration of war? Grotius and Pufendorf disagree as to whether such contracts are binding during a state of war.[1]

The rights of belligerents which may affect neutrals are classed separately. Perhaps the right most bitterly complained of by neutrals was that of privateering—aptly called a relic of barbarism. Milner Gibson, for example, when speaking in defence of Cobden's arbitration motion in the House of Commons, 12 June, 1849, urged that privateering be abolished, not only on this ground, but also because the practice thereof was an inducement to war.[2] Far more complex in the eyes of the prize essayists were the problems of expatriation and naturalization. The subjects of one nation are commonly considered to be free from interference by any other nation, but how decide upon the nationality of an individual in a case of conflicting allegiance? According to Blackstone, an Englishman can never renounce his allegiance, though he may forfeit his citizenship. Conversely, the United States, "at variance with almost all the rest of the world, . . . claims the right of naturalizing foreigners in such a manner as to affect their allegiance to their native

[1] *American Prize Essays, op. cit.*, Essay vi, pp. 529, 530; Essay ii, pp. 147.

[2] *American Prize Essays, op. cit.*, Essay vi, p. 534; *3 Hansard*, vol. cvi, p. 95.

country." [1] The reason for the disagreement between the United States and Europe on this subject was that many Europeans became naturalized Americans, whereas but few Americans became naturalized in Europe, for they had no great inducement to do so. Therefore it was to the interest of the United States to hold on to whatever aliens became naturalized, while it was to the interest of every European state to get back its own subjects and abrogate their citizenship in the country of their adoption. A particular difficulty arising out of this situation was the chronic friction between the United States and England caused by the impressment of seamen. For example, how many "Americans" impressed by the English navy were Englishmen naturalized in the United States? The status of neutrals found in an enemy's camp furnished another problem. Should such neutrals, if captured in an enemy camp, fleet, or privateer, be considered pirates and treated accordingly? But the question raised which was of greatest importance in Anglo-American relations was that of the ownership of conquered territory. After how long a period of occupation does conquest constitute ownership? When may conquered land be sold, and the buyer thereof hold a legal title to it? Conflicting ideas were rife as to whether the United States could claim Louisiana and Texas, the North West coast of America and Amelia Island off East Florida. By the purchase of Louisiana did the United States stand in the place of Spain; take over her "rights" as well as her conflicts? [2]

It was considered that neutral states were entitled to protection during a period of warfare. Every effort should be made to localize whatever wars could not be prevented; but,

[1] *American Prize Essays, op. cit.*, Essays vi, p. 533 and iv, p. 364, citing Blackstone, *Commentaries*, i, 369.

[2] *American Prize Essays, op. cit.*, Essay vi, pp. 532-535.

a war once under way, neutrals must be safe-guarded as much as possible. Therefore a great part of this proposed code was to be dedicated to neutral rights; and of these, the whole field of navigation and rights involved in the carrying trade presented one of the most intricate problems imaginable. The goods that should be covered by a neutral flag; what constituted a blockade; specification of contraband of war; the right of search; the disposal of captured ships and cargoes; transport and trading privileges during war; neutral waters and their extension from shore,—not one of all these questions but had been a live issue in international relations.[1] It was necessary, however, to be more specific. What should be the law of capture and detention of goods on a neutral ship: if the ship is carrying a neutral cargo between two neutral ports, or if the ship is carrying enemy supplies between two ports, one of which is a neutral, the other a belligerent port?[2] Further, when should a neutral ship pay salvage to the belligerent who *recaptures* her from an enemy? Should the amount of salvage depend on the length of time she had remained in enemy hands or on that portion of her cargo which belonged to that enemy? As to blockading, it must be decided whether a legitimate blockade is one that is effective, or merely a paper blockade declared by proclamation with accompanying notices sent to neutral governments through their ministers resident at the court of the blockading power; such, for instance, as the Berlin and Milan Decrees and the Orders in Council. In addition, ought a neutral ship be warned at least once, within a certain distance of the blockaded port, and her papers endorsed, before she shall be liable to capture? Also, could a neutral ship carry medicine to a

[1] *American Prize Essays, op. cit.*, Essay vi, pp. 536-543; Essay i, pp. 54-59; Essay iv, pp. 362-370.

[2] *American Prize Essays, op. cit.*, Essay vi, p. 537, citing Burlamaqui, 4, c. iv, 24.

blockaded port in which a pestilence had broken out—without danger of capture and confiscation? A list of contraband articles should be minutely specified, in order to avoid "endless lawsuits" between merchants. For instance, tar, pitch, hemp, flax and iron ought not to be considered contraband in the raw state because most of them are not solely used for war. On the other hand, saltpetre, sulphur and certain other raw materials that are used solely for war purposes should be on such a list.[1] But the Prize Essayists do not commit themselves as to whether the right of search is to be exercised at sea only, or whether contraband articles alone or the ship as well as her cargo should be liable to confiscation. In the case of a captured ship or goods, how soon after their capture would a belligerent be entitled to sell, and a neutral to buy them? Burlamaqui holds that such a sale could be made directly after capture, but Grotius stipulates that the ship and her cargo must first be brought within the precincts of the country of the captor. Has a neutral ship the right to transport soldiers and military stores for a belligerent; and if not, what should be the penalty for so doing? Has a belligerent the right to board a neutral ship and impress any of the crew, thus causing the captain to break a contract with his seamen? The nationality of the seamen would have to be taken into account. It would be necessary to find out whether such men were subjects of a neutral or an enemy country, or whether they were former subjects of the belligerent country who had been naturalized in the country of the neutral ship.[2]

[1] *American Prize Essays, op. cit.*, Essay vi, pp. 538, 539.

[2] *American Prize Essays, op. cit.*, Essay vi, pp. 539-541. By the Orders in Council of 1807 Great Britain had enunciated the principle that neutral ships were liable to search by belligerents in time of war, and that enemies' goods, laden on board neutral ships, were liable to seizure. As the treaties of peace of 1814 and 1815 were silent upon this subject, Great Britain maintained that her principle was still in

Right of search was tied up with the general question of extradition. Wheaton showed, in his *History of the Law of Nations,* how the various Christian states and jurists differed as to the ethics of demanding such surrenders. The matter was one which urgently required settling. Another important point was whether or not a neutral could legitimately carry on a trade in time of war which was illegitimate in time of peace. Would the enjoyment of such a trade constitute an infraction of neutral duties? Before 1855 this was purely a sea issue, and according to the "Rule of 1756" neutrals were not supposed to engage in a trade with the colonies of a belligerent during war which was not open to foreign vessels during peace. Naturally enough, the United States and other maritime powers inferior in sea power to Great Britain took exception to this rule.[1]

full force. *Cf.*, for contemporary statement of Great Britain's case, the *Westminster Review*, July, 1847, p. 359.

A further complication arose when the right of search was insisted upon for the purpose of ascertaining whether or not a ship carried slaves. Great Britain even went so far as to assert a claim (subsequently given up) that the slave-trade conventions gave her the right of visiting in time of peace ships which carried the American flag, in order to make sure that the flag truly indicated the nationality of the vessel. *Westminster Review*, July, 1847, pp. 359-365. And, in the matter of slaves, Great Britain also maintained that refugees, who succeeded in escaping to a country whose municipal laws did not recognize the institution of slavery, were entitled to their freedom. The ship *Creole*, in 1841, was the fifth and most famous case in point: her slave cargo revolted, took over the ship, made for the Bahamas, and the slaves were set free on reaching there —in spite of the protest of the United States. Moore, J. B., *History and Digest of International Arbitrations* (Washington, 1898), i, pp. 408-411.

[1] *American Prize Essays, op. cit.*, Essay vi, p. 541; Manning, W. O., *Commentaries on the Law of Nations, op. cit.*, pp. 261-263. The declaration of this Rule in 1756 was Great Britain's protest against the action of France in abrogating her navigation laws and throwing open her colonial trade to foreigners during the Seven Years' War. It is interesting to note that Chancellor Kent admitted that the United States would probably join with England in upholding this rule if she were to become a great maritime power.

In the matter of neutral waters it was deemed essential to determine just how far from shore neutral rights were supposed to extend—a league, or "the distance of a cannon shot." It was also necessary to know whether one belligerent could attack another in a neutral bay, and whether or not a belligerent ship had the right to anchor off a neutral shore in order to blockade an enemy fleet in a neutral harbor. Americans had suffered from this inconvenience when the English, during the Napoleonic Wars, had blockaded French ships in American harbors, and insisted on examining all ships entering those ports.[1]

The following topics dealt with under the rights of neutrals were of vastly more importance in Europe than they were in America. Has a belligerent army right of way through neutral territory with or without the consent of the neutral country? Grotius allows the right, Burlamaqui denies it, and Vattel allows it in certain cases only. Most important of all was the question of intervention. Should nations or individuals have the right to intervene in the internal affairs of other countries, or give assistance to foreign revolutionists.[2] Allied to this problem is that of the right of a nation to allow forces to be raised from among its own subjects for any such purposes, and the equally debatable right of any individual to engage in war against a country with which his own country is at peace. Great Britain, for instance, blamed the United States for allowing American citizens to take part in the troubles in Canada in 1837, yet, in 1833, "253 men were enlisted in England for the war in Portugal, uncertain which side they would take," and in the

[1] *American Prize Essays, op. cit.*, Essay vi, pp. 543, 544.

[2] From 1815 to 1850, every time that the status quo in Europe was threatened, either by wars of aggression, revolutions, civil wars or the appeals of nationalist heroes such as Kossuth, the interventionist principles of the Holy Alliance were argued pro and con.

American Revolution England had used regiments of Hessian troops to fight against her own colonists.[1]

The foregoing sketch, brief as it is, is sufficient to give some idea of the nature of the causes of international friction in the mid-nineteenth century. It is easy to understand why advocates of international coöperation felt that some effort must be made to clarify these issues and establish uniform principles of international law which could be maintained by the collective guarantee of Christendom. The movement for codification, though traceable to this middle period, did not come to a head until some twenty years later. Chronologically speaking, the first fruits of the movement are outside of the province of this study, but inasmuch as these ideas of the mid-century period and the prominence given them are partly responsible for the summoning of one of the two law conferences of 1873, it is permissible to pursue the subject a little further. After 1865 plans for codification developed rapidly, but they were not, strictly speaking, connected with the peace movement at all. The Crimean War in Europe and the Civil War in the United States showed clearly how much certain questions needed settling, and that without delay. Several specific proposals were made by individuals, and the formulation of laws of war was actually commenced by European governments. All of which contributed to an increasingly wide-spread belief in the practicability of inducing governments to cooperate in the work of codification.[2]

[1] *American Prize Essays, op. cit.*, Essays i, p. 59; iv, p. 362; vi, pp. 542, 543; *3 Hansard*, vol. cxxxvi, pp. 550, 551. This last point confronted England with special force in 1855 when the Foreign Enlistment Bill came up for debate in Parliament. Could England raise troops in the German States to fight against Russia in the Crimea? Milner Gibson and some other opponents of the bill urged that such a proceeding, though not contrary to precedent, would be contrary to international law, and therefore dangerous to the reputation and future interests of England.

[2] Whewell's edition of Grotius, *op. cit.*, p. xii (preface); Field, D. D.,

It is necessary to digress for a moment before showing the contribution of friends of peace in the eighteen-seventies. The first practical suggestion was made by Leone Levi who, in a report submitted to the Statistical Society of London, 1852, showed the need for a universal commercial code. He stated that there were 11,948 separate articles in the various commercial codes of the chief European states; of these, 2,335 were principles of common law extracted from the commercial laws of Great Britain. It was obvious that European codes had to be amalgamated and simplified before intercourse between nations could be facilitated.[1] In 1861 Cobden, prompted by the trouble between England and the United States occasioned by the Trent Affair, wrote to Charles Sumner proposing that the North should lead the way in establishing a new " Maritime Code ". The next year Cobden further developed his views on this subject in a letter to Henry Ashworth. To his mind, the three most useful measures would be the abolition of commercial blockades, except for contraband; the abolition of the right of search of neutral merchant ships, even in time of war; and the neutralization of private property at sea—its exemption from capture. It must be borne in mind that Articles one and three of the Declaration of Paris, 1856, had provided for the safeguarding of neutral goods on the high seas and for the abolition of privateering, but European states alone were bound by it. The United States had refused to subscribe to the Declaration because of the rejection of their proposal that the principle of the neutralization of private property be extended to include belligerent as well as neutral property. Lieber, however, would have liked his adopted country to lead the way in

*Social Science Address*, 1866, p. 9; Richard, H., *Speech on International Arbitration* (1872), p. 12; Letter of Charles Lucas to J. B. Miles printed in the *Advocate of Peace*, Oct., 1873, p. 77.

[1] Levi, Leone, article in the *Journal of the Statistical Society* (1852), vol. xv, pp. 108-114.

reforming maritime law; but even his thirty-years residence in the United States and his one-time intimacy with Sumner did not serve to get his views adopted.[1]

About the time that Levi and Cobden were seeking to improve maritime law, David Dudley Field outlined the first, and perhaps the best of the international codes. The idea originated in a speech which he made at a meeting of the British Association for the Promotion of Social Science, in September, 1866. Field never intended to do the work single handed. He proposed that a committee be appointed to report to the Association on the outlines of an international code. Different members of the committee were to collaborate by preparing different portions of the code. But for various reasons, chief of which were the difficulties experienced by the members in communicating with each other, Field took it all upon himself and made out a comprehensive manual, the *Draft Outlines of an International Code.* This work, still considered excellent, was published in 1872. It is as practicable as any code could well be; but at best it could only furnish a basis or guide for any complete work on the subject. The book is divided into two parts, the first of which deals with public and private international law, and enumerates convenient regulations for international intercourse. The second part contains rules of warfare for the use of belligerents and their allies, and a summary of the rights, privileges and duties of neutrals. The author guarded against any misinterpretation of his ideas or terms by supplying an appendix of definitions and general provisions. It is noteworthy that the provisions for international cooperation and the maintenance of peace (Book I, Division I, Part IV)

[1] Cobden, R., *Political Writings, op. cit.*, p. 221. Letter to Ashworth, 10 April, 1862; Letter of Cobden to Sumner, 6 Dec., 1861, printed in J. A. Hobson's *Cobden the International Man, op. cit.*, p. 351; Letters of F. Lieber to Charles Sumner, printed in T. S. Perry's *Life and Letters of Francis Lieber, op. cit.*, pp. 324 and 387.

include annual international conferences, a limitation of armaments, and special tribunals of arbitration. All nations "assenting" to the code were to be equal in rank, and to bind themselves to resist, by force if necessary, any nation violating these provisions.[1]

A corollary to the general proposition of codification was the interest shown by a few individuals in establishing improved rules for treaty-making between nations. On Russia's repudiation of the Black Sea clauses of the 1856 treaty, J. S. Mill wrote an article for the *Fortnightly Review* in December, 1870, to show that all such treaties, imposed in perpetuity, were bound to be repudiated sooner or later. Conflicting moral obligations and overlapping treaty rights made the relations between states unnecessarily strained. The cause of peace would be helped, indirectly, by scrapping all treaties which were not fit to be kept, and laying down a few simple rules as to the nature, scope, limitation, duration and binding powers of whatever treaties were to be made in the future. For example, conditions should never be imposed on a weaker or vanquished nation which that nation could not reasonably be expected to adhere to; and no treaty should be binding for more than a limited period of time, so that conditions could be adjusted to accord with changing circumstances. A few years after Mill's article appeared, Montague Bernard and Henry Richard both advocated similar reforms, and urged that there might be as few treaties as possible to complicate international relations, but that what treaties there were should contain arbitration clauses. This interest in the subject of treaty reform was only a side issue, but indicative of the general trend of thought.[2]

[1] Field, D. D. (1866)—*Address before the Social Science Association*; Field, D. D., *Draft Outlines of an International Code* (N. Y., 1872), *passim.*

[2] Mill, J. S., *Dissertations and Discussions, op. cit.* (1882), V, 130-140; *Pamphlet of the London Peace Society* (1878), 16 pages; Richard, H. (1877), pp. 3-11.

The movement for codification was indirectly furthered by the formulation by governments of certain of the laws of war. The Declaration of Paris, subscribed to by some forty European states, was confined to the enunciation of three principles of maritime law. By this Declaration privateering was outlawed, also ineffective blockades; and enemy merchandise under a neutral flag was to be exempt from capture. This was a beginning, though a meagre one. Lieber's "Instructions" which he had drawn up at the request of President Lincoln had been published in 1863 as "General Orders Number 100." Intended as a guide for the government of the United States' armies in the field, they laid the foundation for the subsequent codification of the laws of land warfare and of invasion at the Hague Conventions. The Geneva Convention of 1864 instituted the Red Cross and provided for the neutralization of ambulances, medical officers and military hospitals. A further humanization of war was attempted at the Convention of St. Petersburg, 1868, in which the use of certain kinds of weapons and explosives was renounced. The plenipotentiaries of thirteen states signed the first, and of twenty states the second of these conventions. Some people may have thought with J. S. Mill that the regularization and humanization of war would tend to preserve the war system; but the majority apparently agreed with Cobden. As Sheldon Amos pointed out in 1880, laws made to mitigate the severity and reduce the frequency of wars really paved the way to their eventual abolition. And, as to the movement for codifying international law, the more codification there was along one line, the easier it was to propose and carry through codification along other lines. Also, once war should thus come to be regarded as only a means to some definite end, a substitution of other means may be adopted for the accomplishment of a given end.[1]

[1] Amos, Sheldon, *Political and Legal Remedies for War* (1880), pp.

In considering the preparation, direct and indirect, for the international law conferences, the tentative governmental efforts toward coöperation must also be taken into account. The introduction to the *Archives of International Law* calls attention to this fact and stresses the importance, in the development of international law, of the nineteen different consular conventions and treaties of extradition, commerce and navigation that were entered into during 1871 and 1872. During the same years there was also a Scandinavian Convention in favour of a common monetary system; and a tripartite agreement between Germany, Italy and Switzerland for the building of the St. Gothard railway. In addition, a preceding generation had set the fashion of holding unofficial congresses; and the unifications of Germany and of Italy emphasized the spirit of cooperation as well as the European trend toward contralization. Needless to add, the wars necessitated by their respective unifications increased the desire to consolidate the inauguration of a new era of peace.

Lastly, the parallel development of the movement for arbitration contributed its share in fostering the movement for codification. Especially important was the famous Geneva arbitration award of 1872. Great Britain's acceptance of an adverse judgment gave rise to extravagant optimism as well as to a justifiable faith in the possibility of effective international cooperation. At the same time, the very difficulties experienced by the Anglo-American High Commission in coming to an agreement, their frequent deadlocks and unsatisfactory compromises proved, as nothing else could have done, the need for an adequate and intelligible body of law.[1]

5, 314-316, 341-355; Perry, T. S., *Life and Letters of F. Lieber, op. cit.*, (1882), pp. 324-331; Hershey, A. S., *Essentials of International Public Law, op. cit.* (1927), p. 89; Scott, J. B., in the *American Journal of International Law*, July, 1927, vol. 21, pp. 420, 421.

[1] *International Law Association Reports, op. cit.*, 1873, vol. i, p. vi; Laveleye, Emile de, *On the Causes of War,...* (1872), *op. cit.*, p. 33.

As a result of all these agitations and activities, friends of peace revived the question of codifying all branches of international law. Burritt, speaking at the Social Science Congress of 1868, proposed that a congress of nations be summoned to formulate such a code. His plan, just as in the eighteen-forties, rested on the assumption that it would not be feasible to codify international law without a specially constituted commission which could only be appointed through an international congress of some sort; nor did he think it possible to administer international law except through the medium of an international tribunal. The substance of his suggestions was that the articles of this proposed code should be based on principles laid down by civilians and on principles derived from treaties, and that they would require the unanimous consent of all the nations represented in the congress in order to become law. Each and every article would need to be ratified by the various national governments, as in the case of a treaty; and the consent of all parties concerned would be requisite before an article could be annulled, once it had been ratified.[1]

Shortly after Burritt had testified to the reawakened interest of friends of peace in obtaining a code of international law, Henry Richard suggested a plan similar to his; and Charles Lucas, early in the seventies, outlined a scheme by which science might be drafted to educate and shape public opinion, and public opinion could be utilized to influence the legislatures. Like the house that Jack built, enough people must be educated to influence a majority of votes in parliamentary bodies; and the parliaments, in their turn, would

[1] *American Prize Essays, op. cit.*, Essays i, p. 75; iv, p. 399; v, p. 499 and vi, pp. 631-633, 522 and 523; Burritt's addresses at the Peace Congress of 1848 and at the Social Science Congress of 1868, printed in Burritt's *Works, op. cit.*, pp. 193-195 and 303.

bring diplomatic action to bear on the regulation of international affairs.[1]

At the commencement of 1873 the Reverend J. B. Miles, travelling agent of the American Peace Society, went to Europe to rouse interest in the plan of a group of Americans for the codification of international law. As representative of the United States' International Code Committee, Miles toured most of the countries of Western Europe. He visited leading publicists, jurists and economists, and organized national auxiliary societies in behalf of their project. On his return he reported on his tour at a mixed gathering of friends of peace and would-be codifiers of international law which was held at the house of David Dudley Field in New York City. The result of this meeting was that its members, after voicing their conviction that peace societies were inadequate and unable to bring about unaided the desired reform, resolved themselves into a committee with this single end in view. This committee succeeded in founding the Association for the Reform and Codification of International Law, subsequently known as the International Law Association. The first of its annual meetings was held in Brussels on 10 October, 1873, with Auguste Visschers and D. D. Field as president and honorary president. Dr. Bluntschli, who was present and shared Lieber's views on international problems, gave it as his opinion, in opposition to the opinion of Field, that the gradual adoption by governments of carefully worked out principles of international law would be preferable to their ratification of any single code wholesale. The resulting discussion was productive of no final decision on the relative merits of the two plans. It is clear, however, that it was the conviction of most of the

[1] Richard, H., Speech in Dublin, on *International Arbitration*, 2 Sept., 1872, p. 12; Letter of Chas. Lucas to J. B. Miles, printed in the *Advocate of Peace*, Oct., 1873, p. 77.

founders, especially of the Americans, that "a Code of International Law must precede any general resort to International Arbitration, and that the want of such a Code was the great obstacle which hindered the general substitution of Arbitration for War." [1]

The International Law Association, after its first meeting, made no serious attempt to codify the whole of international law. Instead, it devoted itself primarily to the general improvement of international relations, from the point of view of both law and social science. Arbitration was recommended in almost all cases of national differences, and in lieu of confining itself to the purely scientific treatment of questions of international law, an attempt was made to popularize such questions by public discussion. For this reason the membership of the Association was extended to include various professional and business men, lawyers, shipowners, underwriters, and merchants as well as philanthropists; delegates from chambers of commerce as well as from peace societies. In short, both expert and inexpert opinions or suggestions were solicited.

This same year, a month before the inauguration of the International Law Association, another society was founded by Rolin-Jaequemyns at the suggestion of Francis Lieber. This society, known as the Institute of International Law, was the result of a separate movement, entirely unconnected with the work of friends of peace. The two must not be confused. The members of the Institute convened at Ghent in response to a circular letter sent out by Rolin-Jaequemyns who proposed the founding of a permanent academy of international law. Its membership, limited at first to fifty full

[1] *International Law Association Reports, op. cit.*, 1873, vol. i, p. vii; *Ibid.*, pp. iv, v and 12; *Advocate of Peace*, March, 1874, pp. 21-24; Field, H. M., *Life of D. D. Field, op. cit.*, pp. 245-247.

members, was confined to distinguished jurists of diverse nationalities.[1]

In conclusion it may be said that the movement for the codification of international law was only an indirect method of fighting for peace. Inasmuch as its primary object was the regulation of the laws of war, and the improvement of conditions of warfare, the movement did not constitute a frontal attack on war. The significance of its connection with the peace movement is in the fact that friends of peace believed that the developing and perfecting of international law was the surest way to maintain peace.

[1] On the founding of the two Societies, *vide*: Scott, J. B., in the *American Journal of International Law*, July, 1927, pp. 422-425; Perry, T. S., *Life of Francis Lieber, op. cit.*, pp. 362, 367; Field, H. M., *Life of D. D. Field, op. cit.*, p. 245; Field, D. D., *Speech at the Social Science Congress of 1866, op. cit.*, p. 9; Richard, H., Paper read at the Conference of the International Law Association, 1881, p. 3; *International Law Association Reports, op. cit.*, 1873, vol. i, p. viii.

## CHAPTER V

### The Arbitration Movement

Popular as was the idea of a congress of nations among a few energetic friends of peace, no plan therefor received half the support that did suggestions for establishing a system of arbitration. And between 1842 and 1854 the idea of stipulated arbitration, backed by Jay in the United States, by Cobden and Henry Richard in England, gained greatly in general favor.

Jay's plan, outlined in 1842, was that multiple, progressive alliances might be entered into by the various nations, which would guarantee the arbitration of any national dispute that might arise. The first step could be taken by inserting a clause stipulating arbitration in every treaty. Cobden would have omitted the first step, and recommended in 1848 and 1849 that treaties be entered into for the express purpose of binding the contracting nations to submit their future quarrels to the decision of arbitrators. In his eyes no object was more worthy of " a separate treaty " than that. Both Jay and Cobden had the same object in view, however, and were willing to take the most expedient course in order to attain their end. Either way, they thought, the result would have been the gradual establishment of a system of treaties which would have become consolidated into several large, multilateral alliances. The Address to Rulers, drafted by American friends of peace and reprinted by the *London Peace Society,* urged the incorporation of stipulated arbitration clauses in every treaty, a guarantee to refer every national dispute to

umpires mutually chosen. The contracting nations "should invariably bind themselves in good faith to abide by the decisions of their referees, and claim, if dissatisfied, only the privilege of renewing or changing the reference." [1]

The death of William Ladd who was the chief exponent of international coöperation by means of a congress of nations accounts in part, but only in part, for the rapid growth of the arbitration movement after 1841. The true explanation of why the preference was given to arbitration is probably to be found in the difference between the two movements. For one thing, a system of arbitration was thought more practical, because it was simpler, than any plan for a congress of nations; less education would be required to prepare the popular imagination to receive the idea and adopt it as a solution for international difficulties. The principle of arbitration itself was but one of the elements, a component part of the more inclusive plan for an international congress. The very simplicity of the principle would make it easy to execute; and some even thought that it was a logical, not to say necessary precursor of the more permanent congress. Some also believed that both plans were practicable and could exist side by side, or that they were equally acceptable alternatives. But many, including Cobden, pinned all their faith to arbitration and thought that it would be extremely unwise to establish a congress of nations lest it should then be considered that an army was necessary to enforce its decisions, and that any body armed with coercive powers would lead to even more armed interference than was

[1] Jay, Wm., *War and Peace* (New York, 1842), pp. 53, 56, 63-65; R. Cobden to Joseph Sturge, 16 September, 1848; and *Cobden's motion in the House of Commons*, 12 June, 1849; *Advocate of Peace*, Dec., 1843, p. 134; *Arbitration as a Substitute for War Addressed Especially to Rulers—a tract of the London Peace Society*, pp. 2 and 3; Hobson, J. A., *Richard Cobden the International Man* (London, 1919), p. 99.

customary on the part of European nations. Precedent was also in favor of arbitration. In the forty-six years before 1840 twenty-three national disputes had been settled thus. The number of cases arbitrated between 1840 and 1860 more than doubled in proportion. Also, for six years preceding the Crimean War over 275,000 English people signed their names to 1578 petitions in favor of arbitration as a substitute for war, which is indicative of a popular prepossession in favor of that method of adjusting international disputes.[1]

It was argued that arbitration was intelligible, reasonable and a fairer way to establish right than an appeal to arms; that a trained body of men was more competent to decide the merits of a case and settle a dispute than a single individual, such as a monarch; that the existence of such a system would tend to check oppression and ambition and would protect weak states; that the rights of national sovereignties would in no way be infringed because neither dictation nor coercion was intended, merely "friendly counsel." Finally, positive good would result in that constant recourse to legal procedure in the settling of international disputes would familiarize peoples and their governments with the practice, and so tend to establish arbitration as an international custom. As for the objection that stipulated arbitration might be disregarded even if provided for, the *Advocate of Peace* pointed out that no nation would re-

[1] Upham, T. C., in the *Advocate of Peace*, Oct., 1842, pp. 251-253; Sumner, C. to Richard H. Dana, Aug., 1845, in Pierce's *Memoir and Letters of Charles Sumner, op. cit.*, vol. ii, p. 377; Sumner, C., *The War System of the Commonwealth of Nations, op. cit.*, p. 61; *Reports of the Peace Congresses* (London, 1861), p. 16; Noble, John, Jr., *Arbitration and a Congress of Nations as a Substitute for War in the Settlement of International Disputes* (London, 1862), *passim*; *3 Hansard*, vol. cvi, p. 65—12 June, 1849; *International Law Association Reports* (Brussels, 1873), p. viii; *The British Almanac Companion, Year-Book*, public petitions, 1846-1853; Curti, M. E., *The Movement for International Peace in the United States* (Harvard, 1927), pp. 478-479.

fuse to enter into a profitable commercial treaty because it might be violated.[1]

1849, the year of the greatest of the peace congresses, also marks the peak of the arbitration movement. Richard Cobden, its most influential advocate in England, made his famous motion in the House of Commons to the effect "That an humble Address be presented to Her Majesty, praying that She will be graciously pleased to direct Her principal Secretary of State for Foreign Affairs to enter into communication with Foreign Powers, inviting them to concur in Treaties, binding the respective parties, in the event of any future misunderstanding, which cannot be arranged by amicable negotiation, to refer the matter in dispute to the decision of Arbitrators." The motion was lost by a majority of ninety-seven votes, the ayes numbering 79, the noes 176. But the fate of the motion was less important than the fact that it was made and called forth a serious discussion. Only by a Parliamentary debate could arbitration have been drawn into the arena of practical politics and its consideration as a method of international redress have been assured. The debate itself is illuminating and well worth analysis, if only because it throws into relief the most telling arguments pro and con the establishing of a system of arbitration.

To begin with the motion, Cobden's own defence thereof was as brief as he could make it without endangering its effectiveness. He confined himself to making a plea for a new system instead of trying the patience of the House by including an indictment of the war system. Then he ex-

[1] *Advocate of Peace*, Oct., 1842, pp. 241-256; Dec., 1843, pp. 133-139; *American Prize Essays* (Boston, 1840), pp. 682-683, 687-690; Burritt, E., *Works* (Boston, 1869), p. 236; Bright, J., *Speech at Manchester*, 27 Jan., 1853; Richard, H., *The Limits of Arbitration* (London, 1875), p. 5; Sumner, Ch., *War System of the Commonwealth of Nations* (Boston, 1849), p. 64.

plained that, although for the moment he represented all Christians who were against war, whether defensive or offensive, support of his motion would not entail the inference either that any member voting therefor was a non-resistant, or that such an one was compromising with extreme peace principles. His plan was intended to offer a practical solution for any international difficulty without regard to abstract theories of peace. The proposition was merely an extension on a national scale of the principle that intercourse between communities is nothing more than the intercourse of individuals in the aggregate, and consequently should be subject to regulation. To prove that his suggestion was not entirely novel he reminded the House that Great Britain and the United States had referred disputes to Russia in 1822 and to the King of the Netherlands in 1831, and that in 1839 the United States and Mexico had referred their joint claims commission to the umpirage of a Prussian. He also pointed out that much trouble and expense would have been saved if, in 1837, 1841 and 1844 an arbitration system had been in working order to settle the Anglo-Russian dispute over the Russian confiscation of the Vixen, the Maine and Oregon boundary questions, and the Tahitian difficulty between England and France. A beginning might be made by negotiating an arbitration treaty with the United States or with France; though, eventually, it was to be hoped that Great Britain would extend the same principle to the weaker and smaller states. As to the character of the arbitrators, mixed commissions of individuals would be preferable to crowned heads or to neutral states, for they would inspire more trust; and an arbitration commission, if unable to decide upon any matter referred to it, should be empowered to call in an umpire. The decision of such a commission should be final. The second part of Cobden's speech was concerned with answering anticipated objections to his

scheme. Taking them up in the order in which he dealt with them, the first objection to be answered was that an arbitration treaty would prove to be a scrap of paper, made but to be violated. His answer was that treaties of any sort are not habitually violated, even by powerful states; that an arbitration treaty would be as likely to be observed as any other kind of treaty, in fact even more so because any nation going to war in defiance of such a treaty could not plead the excuse of necessity or the justice of its cause. A far more serious objection was that "the great interests of England" ought not to be entrusted to a body of individuals. His answer to this was twofold: in the first place, the assumption was groundless that all quarrels with foreign countries involved the whole existence of the Empire. Facts showed the contrary to be the case. Secondly, such matters are virtually left to individuals—witness the entrusting to Lord Castlereagh of "full power" to represent Great Britain at the Congress of Vienna in 1815. As for the argument that the Government and the country were supposed to be pacifically inclined, and that therefore no specific peaceable measures were needed, Cobden maintained that there was no proof of any such tendency; that, on the contrary, since 1836 the expenditure of the ordnance department had been doubled, and the armed forces of Great Britain had increased by 60,000.[1] Later in the debate when Palmerston and Lord John Russell talked of "preserving peace", Cobden remarked that Europe was not in a state of peace, but in a condition of armed truce. His wish was not to render England defenceless, only to take other means for her defence,—not to destroy her war-ships, but to make them superfluous. On the other hand, although England's alleged tendency to

[1] *N. B.*, 1836-1849 shows an increase of from (over) 50,000 to (over) 63,000. In 1836 the total land and sea forces of Great Britain numbered 138,152; in 1849 between 201,909 and 188,678.—See *The Journal of the Statistical Society*, vol. xv, p. 259—for March, 1852.

peace was used as an argument against establishing a system of arbitration, the fact that there were wars on the Continent was thought, paradoxically enough, to be a reason against taking such a step. Cobden, of course, considered that fact but an added argument on his side. Also, he said about the Schleswig-Denmark dispute, what he repeated the next year about the Don Pacifico affair, that it was just the kind of difficulty in which arbitration could be advantageously used.[1] Cobden's parenthetical remark about the wisdom of establishing a congress of nations shows that, in proposing a system of arbitration, he had more in view than the mere settlement of international disputes when and as they arose. He felt that, were the civilized nations to enter into such treaties, their decisions would become precedents and a kind of international common law would gradually be built up. In this way the time and trouble involved in arbitrating each individual case would be reduced to a minimum.

The debate which followed Cobden's defense showed that he had taken the measure of the opposition with his usual acumen. All the objections which he had foreseen were brought against his motion, and the two most stressed were the inopportuneness of the proposition, and the charge that he, Richard Cobden, was willing to risk either England's honor or her safety by entrusting the conduct of her relations with foreign powers to a board of "irresponsible" commissioners. Lord Palmerston, who was then Prime Minister, spoke against the plan and dwelt upon the political, commercial and diplomatic "dangers" of arbitration. He also maintained that other nations would be even more reluctant than England to bind themselves to carrying out such a system blindfold, in spite of the fact that the wide

[1] Letter of Cobden to H. Richard, 23 April, 1850—in Hobson's *Cobden the International Man, op. cit.*, p. 65.

extent of the British Empire would justify any amount of hesitation on England's part. Nevertheless, he was unwilling to propose a " direct negative " to the motion or to have the House turn it down. Accordingly he moved the previous question in order to avoid the issue. Palmerston's indirect veto was out-voted, however, and Cobden's motion was voted on and lost. Several able speeches were made in defence of the motion, three of which attempted to show that Palmerston was throwing away a golden opportunity by leading the opposition against it. Great Britain was in a position to set an example to the rest of Europe, and the House of Commons, by giving its sanction to a definite plan for the preservation of peace, would prove her good faith and sincere desire to prevent wars. One of the members, a Colonel Thompson, argued that even though arbitration might have its defects, the great thing was to work toward as pacific an international system as possible, and, above all, to begin working. Lord Grosvenor thought the proposition a very wise one provided that no attempt was made to couple it with a demand for reduction of armaments. Milner Gibson said that the chief merit of the plan lay in providing for the pacific settlement of a dispute before an angry correspondence could take place and the passions of contending parties be aroused. So and not otherwise might national differences be straightened out calmly and with justice.[1]

Such was the gist of Cobden's motion and the subsequent debate on the merits of arbitration. Considerable interest " out-of-doors " was aroused in the subject: friends of peace

[1] *3 Hansard*, vol. cvi, pp. 54-121, inclusive. *Debate in the House of Commons*, 12 June, 1849. *N. B.*, Speeches were made against the motion by: Lord Palmerston, Lord John Russell, Monckton Milnes, B. Cochrane, Captain Harris and David Urquhart. Speeches were made in favor of the motion by: Milner Gibson, Hobhouse, Joseph Hume, Col. Thompson, Roebuck, Mackinnon and W. Ewart who seconded the motion. Pp. 119-121 for the division on the motion.

made an urgent appeal to the country, and Richard and Burritt toured the British Isles when notice of the proposed motion was given. Cobden estimated that 150 public meetings had been held and nearly 200,000 people had petitioned the House in its behalf, and the *Year-Book* for 1849 states that over 1100 arbitration petitions were received. The London Peace Society backed him to the full and commended him for his tact and wisdom in confronting Members of Parliament with practical arguments rather than with abstract peace principles. Certainly it was a step in advance that Cobden's motion, instead of being received with jeers and laughter, as was the first petition for arbitration, was accorded serious consideration. The comments of two widely different papers give an interesting sidelight on this episode. The *Illustrated London News,* though convinced that arbitration clauses were inept and futile in the imperfect state of 19th-century society, thought nevertheless that Europe in general and England in particular ought to be indebted to Cobden's motion for focussing the attention of the public on peace questions. *Punch* published an article entitled " Peace and War in Parliament " in which Cobden was given unqualified support and the timeliness of the motion was upheld. *Punch* even went so far as to prophesy that " The olive twig, planted by Mr. Cobden in Westminster, will flourish despite the blighting wit of mess-rooms, and rise and spread into a tree that shall offer shade and security to all nations." [1]

It is not too much to say that this arbitration motion, the first that occasioned a serious debate, gave great impetus to the movement and justified renewed efforts in behalf of

[1] Richard, H., *Memoirs of Joseph Sturge, op. cit.*, pp. 423, 424; Burritt, E., *Autobiography, op. cit.*, p. 25. *3 Hansard*, vol. cvi, p. 68; *Herald of Peace*, July, 1849, pp. 332, 333; April, 1850, p. 476; *Illustrated London News*, 16 June, 1849, p. 402; *Punch*, 1849, vol. xvi, p. 257.

the peace movement as a whole. The cases submitted to arbitration increased in number and importance, and similar motions for arbitration were made in other national legislatures. In 1851 and 1853 reports were made in the Senate of the United States recommending the adoption of a resolution to the effect that Congress should advise the President to incorporate stipulated arbitration clauses in all future treaties whenever practicable. Nothing came of these recommendations, but twenty years later the House of Commons carried Henry Richard's motion for arbitration. This motion was even more inclusive than Cobden's in that the establishment of a general and permanent system of international arbitration was urged upon Queen Victoria, and it was also coupled with a suggestion for the improvement of international law. Between 1873 and 1875 the example set by the House of Commons was followed by the lower houses of the legislatures of Italy, the United States, Sweden and the Netherlands, and by both the Chamber of Deputies and the Senate of Belgium. And in 1888 resolutions were carried by the Congress of the United States and the British House of Commons to the effect that stipulated arbitration treaties be negotiated with whatever governments the United States and Great Britain, respectively, had diplomatic relations. There was no doubt that this particular olive twig took root and put forth "the tender leaves of hope."[1] (See Appendix, Table II).

Assuming that the principle of arbitration is important in the development of international relations, what could be more to the point than to give an example of the working

[1] *Advocate of Peace*, April, 1853, pp. 257 and 267; *Congressional Globe*, vols. xx, xxii, 31st Cong., 2nd Sess., p. 437 (5 Feb., 1851); 32nd Cong., 2nd Sess., (22 Feb., 1853); *Congressional Record*, vol. xix, pt. 6, 50th Cong., 1st Sess. (13 June, 1888); Richard, H., *Address at the International Law Conference of 1881*, pp 12 and 18; *3 Hansard*, vol. ccxvii, p. 53. Motion of H. Richard on 8 July, 1873.

out of the principle? No case better illustrates the practical side of the question or shows more exactly what arbitration was intended to accomplish than the work of the London Commission of 1853. That friends of peace took unto themselves the credit for instituting this commission gives added interest to the example. In January, 1853, Charles Sumner worked hard to get an arbitration clause inserted into the treaty which was then being negotiated between the United States and Great Britain. As he wrote Jay, such a provision might prove to be a precedent of incalculable value. The American Peace Society also memorialized the President, the Secretary of State and members of Congress on the subject. In England John Bright, at a meeting held in the Manchester Corn Exchange, moved a resolution for an arbitration treaty; and a deputation of Parliamentary friends of peace, including Richard Cobden and Joseph Hume, presented a memorial to Lord Clarendon urging the insertion of an arbitration clause in the impending Anglo-American treaty. It would be impossible to determine just how much credit friends of peace were entitled to in the matter, but the fact remains that a special convention provided for the establishment of a joint claims commission for the purpose of settling all outstanding claims between the United States and Great Britain. The Commission sat for a year and a half, from 15 September 1853 to 15 January 1855, and, in the course of its 134 sessions, disposed of 115 separate and distinct claims. Under the terms of this Convention the United States appointed a commissioner, Nathaniel G. Upham; Great Britain appointed a commissioner, Edmund Hornby; each Government appointed an agent; and the two commissioners chose an umpire and appointed a secretary. Joshua Bates, the second choice of the commissioners, became umpire after Martin Van Buren, ex-president of the United States, had declined the first invitation. In addition

to his personal qualifications, Bates had the merit of belonging to both countries: he was an American residing in London, and a member of the firm of Baring Brothers. The jurisdiction of this committee of three was to cover all British or American claims, whether of corporations, companies or private individuals, which had arisen since the Treaty of Ghent in 1814; plus every claim presented within six months (in certain cases nine months), from the day of the first meeting. Claims prior to 1814 were disallowed. The rules for procedure were as follows: all claims were to be presented through the two governmental agents; the commissioners were to hear the agents' evidence in defence of each claim, and in some cases private counsel for the claimants as well, provided that such counsel were introduced by one or other of the agents. The umpire, who was not required to be present at the complete hearings of all the cases, was to consult with both commissioners before any decision could be given.[1] Documents submitted in support of or in answer to any claim were to be read; and decisions had to be in writing. When there was no evidence, the case was dismissed; when the commissioners disagreed as to whether or not a claim was to be allowed, the umpire decided the point. When the commissioners could not agree on the amount of damage to be allowed, the umpire alone made the award. Compare, for example, the way in which the British claims were handled. Of the nineteen claims allowed, nine awards were made by the commissioners, ten by the umpire. Of the fifty-two claims dismissed, forty-three were disallowed by the commissioners, nine by the umpire. And for an example of an award for damages, consider the claim of the Great Western Steamship Company for return of coal duties paid

[1] John Bassett Moore considers that the good results of the Commission are chiefly due to the fact that the umpire actively cooperated with the commissioners.

at Boston: the commissioners disagreed, referred the matter to the umpire, and he awarded the Company $13,500. The work of the Commission can be briefly summarized. Great Britain presented, through its agent, seventy-five claims against the United States, nineteen of which were allowed, fifty-two dismissed and four withdrawn. The United States presented only forty claims against Great Britain, twelve of which were allowed, twenty-seven dismissed, and one withdrawn. No computation was made of the gross amount of the claims, but the amount of awards totaled $277,102.88, or £57,252.13s.4d. to British claimants; and $329,734.16, or £68,131.7s.½d. to American claimants. Under the Convention the two Governments were to pay each other the amounts awarded within twelve months after the date of the decision, without interest or reduction. But the expenses of the Commission were to be defrayed by a ratable deduction on the amounts awarded, not exceeding more than 5% on each award, and the deficiencies were to be made up by the two Governments equally. The total expenses of the Commission, including the salaries of the commissioners during actual session, were £2,588.16s.6d. The umpire refused compensation. All three of the famous cases that came up under the British claims were disallowed. These were: the claim of Alexander McLeod for damages arising out of his arrest, detention and trial in New York,—disallowed in spite of the fact that McLeod himself was heard; the case of Messrs Laurent, involving the question of Mexican domicile; and the Florida and Texas bond cases which originated in the period before Texas' admission to the Union. On the other hand, the three famous American cases were all allowed. Compensation was awarded for the brigs *Creole* and *Enterprise* and for the schooner *Hermosa,* vessels "wrongfully seized" on the charge of being engaged in the slave trade (*cf. supra,* p. 138). John Bassett Moore speaks

with enthusiasm of the work of the Commission. He says that "every claim against either Government, . . . arising out of any transaction between 24 December, 1814, and 26 July, 1853, was either settled and determined or rendered inadmissible as a subject of future international action;" and that, according to Seward, this mixed claims commission "'had the prestige of complete and even felicitous success.'"[1]

It is only fair to the international reformers of the mid-century to say that they recognized the limitations of arbitration. One of its recognized disadvantages, for instance, was the unfortunate mental attitude often shown by disputants. When arbitrators are confronted with an intricate problem, about whose solution popular feeling is keenly aroused, arbitrament appears to have all the shortcomings of diplomatic negotiation. An American peace periodical of 1831, commenting on the Anglo-American adjustment of the Maine boundary line, makes this point very clear.

> It is true, that both parties complain, *as is often the case in disputes settled by arbitration*, and both put on that external appearance of dissatisfaction, which is exhibited by artful dealers, before a bargain is fully ratified, in which each party thinks he has the advantage, and fears that the other will fly the contract.[2]

[1] Moore, J. B., *History and Digest of the International Arbitrations to which the United States Has Been A Party*, in 6 vols. (Washington, Government Printing Office, 1898), vol. i, pp. 391 and 413. References for the preceding sketch of the London Claims Commission, *ibid.*, pp. 391-425; Moore, J. B., *The U. S. and International Arbitration*, pamphlet published by the American Peace Society, 1896, p. 10. *Advocate of Peace*, Aug., 1853, pp. 321-330; Charles Sumner to William Jay, letter dated 31 Jan., 1853, printed in Pierce, *Memoir and Letters* of Ch. Sumner, *op. cit.*, p. 323; Richard, H., *Speech on International Arbitration* at the Chamber of Commerce, Dublin, 2 Sept., 1872, p. 16; Bright, John, *Speech on International Arbitration, Manchester Corn Exchange*, 27 Jan., 1853, *passim*.

[2] *The Calumet*, vol. i, p. 5, May, 1831 (the italics are mine).

Another weakness of arbitration was indirectly admitted by Cobden in defence of his motion in 1849. Arbitration is only practicable between nations which possess the same degree of civilization, and which, as Lorimer expressed it in 1874, are on the same "moral plane." Cobden begged that those who opposed the plan would not misrepresent him: he was not desirous of making arbitration treaties with all peoples—still less with Bornean pirates. Again, unless there were a permanent arbitration commission or court, much time would be wasted, and interminable questions would arise as to the qualifications of arbitrators and rules for their procedure each time that a dispute had to be arbitrated.[1] In view of these and other limitations, arbitration was not insisted upon as the sole potential remedy for every national ill, and other plans for international cooperation were developed simultaneously. It was generally realized that boundary disputes and the settlement of pecuniary claims offered the best field for the work of arbitrators. But the twenty-third protocol of the Treaty of Paris in 1856 (*cf. supra*, p. 85), revived the popularity of arbitration. And so successful was the Geneva settlement of the Alabama claims that for several decades after 1873 arbitration was considered superlatively practicable. Its short-comings were temporarily and inevitably overlooked.

[1] 3 *Hansard*, vol. cvi, p. 67—House of Commons, 12 June, 1849; Balch, T. W., *International Courts of Arbitration* (Philadelphia, 1899), p. 26, quoting Professor Lorimer of Edinburgh.

## CHAPTER VI

### Disarmament and Minor Peace Proposals

There was no movement for disarmament in the mid-century comparable to that for arbitration. Serious efforts were not made in that direction until a later period after arbitration had proved its practicability; what movement there was aimed only at a very gradual reduction of armed forces. Even the resolutions of the peace congresses were only in favor of general and simultaneous disarmament. No peace question was more vexed, more productive of disagreement, both within and without the peace movement, than this one. Some friends of peace believed that nothing practical could be done to advance the cause without a general reduction in armaments. Others who recognized equally the evils of large peace-time armaments thought, nevertheless, that it would be impossible to attempt to reduce them until peoples and their governments had first been converted to peaceable policies. And against any disarmament proposal, whether general or specific, was ranged an implacable opposition. Such opposition was based on distrust of the peaceable intentions of governments; on disbelief in the efficacy of any peace plan; frequently on scorn and contempt for the whole peace movement; and very generally on fear lest the country that experimented with any reduction in its naval or military establishments should find itself defenceless and at the mercy of every other nation.

The case for reducing armaments rested on two kinds of arguments: one a compound of morality and expediency, the other economic and financial. In reference to the first, some arguments have already been noted in the chapter on peace propaganda (*cf. supra*, pp. 92-94). Preparations for war were considered so many incentives to war, and standing

armies were supposed to breed idleness and vice, to waste life and drain able-bodied men from productive pursuits. In this connection military parades and the increasingly large proportion of soldiers to the civil population was said to foster the war spirit.[1] The Statistical Society, reporting on mortality in the British army, found that the death toll in the East took seventy-eight men out of every thousand between 1844 and 1846, even after the sanitary reform which was begun in 1836. And the British *Year-Book* stated that in 1847 the regular army numbered 100,790 in a population of 27,000,000. In this respect the United States was far ahead of Great Britain, the proportion of soldiers to citizens being only one in 15116 as against one in 267; but on the Continent, on the other hand, the proportion of soldiers to civilians was far greater than in England.[2]

Facts such as the above were collected and broadcast as part of the general propaganda against military establishments. It is to be noted that friends of peace objected chiefly to standing armies. The navies of the United States and of England were considered essential to their existence; and Cobden and Sumner, the most consistent of the advocates of disarmament, took care to insist that an adequate naval "police force" was necessary for both countries.[3] In addition to the positive evils resulting from peacetime armaments there was a negative one, namely that the money and

[1] Disarmament resolutions of the Peace Congresses, 1848-1853 inclusive, in *Reports of the Peace Congresses, op. cit.*; *Advocate of Peace*, Dec., 1835, p. 341; Oct., 1841, p. 56; Sumner, Chas., *War System of the Commonwealth of Nations, op. cit.*, pp. 24-35; *True Grandeur of Nations, op. cit.*, pp. 58-60, 75-77; Coues, S. E., in the *Advocate of Peace*, Aug., 1840, p. 175.

[2] *Journal of the Statistical Society*, 1847, vol. x, p. 253; The B. A. C., *Year-Book*, 1849, p. 122.

[3] Sumner, C., *True Grandeur of Nations, op. cit.*, p. 60; *War System of the Commonwealth of Nations, op. cit.*, p. 36; Cobden, R., *Political Writings*, op. cit., p. 135.

labor expended on preparations for war diminished by that much the useful work that might be done in philanthropy, education, science and the arts. Or, to put it differently, the war system was not conducive to development of the arts of peace. Longfellow's poem, "The Arsenal at Springfield," written in 1844 contains these lines:

> Were half the power, that fills the world with terror,
> Were half the wealth, bestowed on camps and courts,
> Given to redeem the human mind from error,
> There were no need of arsenals or forts.[1]

Sumner's comparative statistics are said to have made a great sensation among those who heard his speech in 1845 on the "True Grandeur of Nations." He contrasted the amount of money spent on the navy with the general expenses of the State of Massachusetts. The up-keep of a sloop of war was reckoned at $50,000 a year; the annual State expenditure for the blind was $12,000. A captain's pay was between $3,500 and $4,500 according to whether or not he was on duty; the salary of the president of Harvard University was fixed at $2,205, and he was never off duty. The yearly cost of each naval gun averaged about $15,000; this sum was equal to the salaries of all the judges of the Supreme Court of Massachusetts together with that of the governor. And yet, as Cobden was fond of pointing out, the expenditure of the United States for armaments was far under that of Great Britain. This statement was later verified by statistics which Elihu Burritt compiled in 1855. Take, for example, the year 1849—memorable for the Paris Peace Congress and for Cobden's arbitration motion: in that year the Navy and War Departments of the United States spent the equivalent of a little over £5,000,000, whereas the war expenditure of Great Britain exceeded £15,000,000.[2] Friends of peace

[1] Longfellow, H. W., *Works* (New York, 1881), p. 79.

[2] Sumner, C., *True Grandeur of Nations, op. cit.*, pp. 55-57; Cobden,

also charged that a nation with large war establishments was either guilty of cowardice, or else it contemplated foreign conquest and wars of aggression. Those who sincerely believed in the justice or the inevitability of war on the ground that war was the natural state of man, and for that reason justified the maintenance of large armaments, were hard to argue with. But advocates of disarmament asserted their faith in the progress of human society and drew attention to the substitution of trial by jury for trial by battle, the decline of the practice of duelling and the disuse of torture in civilized countries. The following words of Charles Sumner epitomize the plea of such Americans as were in favor of disarmament:

> Let us abandon the system of preparation for war, in time of Peace, as irrational, unchristian, vainly prodigal of expense, and having a direct tendency to excite the very evil against which it professes to guard. Let the enormous means thus released from iron hands, be devoted to labors of beneficence. Our battlements shall be schools, hospitals, colleges and Churches; our arsenals shall be libraries; our navy shall be peaceful ships on errands of perpetual commerce; our army shall be the teachers of youth, and the ministers of religion. This is, indeed, the cheap defence of nations.[1]

In England the actual campaign for the reduction of the military establishment was more vigorous than in the United States. The same arguments for disarmament were used as

R., *Political Writings, op. cit.*, p. 59; Burritt, E., *Year-Book of the Nations* (London, 1855), pp. 21 and 41; *N. B.*, In many cases Burritt's statements were checked by figures given in the B. A. C., *Year-Book, op. cit.*, J. R. McCulloch's *Statistical Account of the British Empire* (London, 1854), *The Journal of the Statistical Society, op. cit.*, and G. R. Porter's *Progress of the Nation* (London, 1847), and Burritt's figures were found to be correct, at least according to these authorities.

[1] Sumner, C., *True Grandeur of Nations, op. cit.*, p. 80.

in America, though more emphasis was put on the economic aspect of the situation, and on the financial burden of armed forces and war debts. And on account of England's proximity to the Continent, the opposition to any reduction of either her land or sea forces was correspondingly greater. However, Cobden and his followers never tired of pleading for a decrease in Great Britain's armaments, and their plea was usually coupled with one for retrenchment. In 1848 Cobden spoke on taxation in the House of Commons and made the point that, unless direct taxation were increased, expenditure would have to be decreased. He "pressed the inference," to use Morley's words, that expenditure must be decreased, and that it could only be done by a reduction in armaments. It almost goes without saying that Cobden ridiculed the idea of a possible French invasion. His attitude toward those who feared invasion was not so much one of scorn as it was a condemnation of either the stupidity or the insincerity of such people.[1] From February to May, 1852, Cobden did his best to check the "second panic" and to convince the House of Commons and the general public of the "absurdity" of thinking that the French Government intended to invade England. He spoke frequently against proposed increases of the army estimates and against raising a militia. He asserted that, were England to add to her forces, France would do likewise, and their resulting competition would entail severe financial burdens. On the third of May, 1852, Cobden spoke on naval reduction. He showed that on five different occasions Great Britain had voted an increase of either men, ships, or money for the navy: in 1836, when there was danger of a Russian war; in 1841 and 1842 because of difficulties in China, Syria and strained relations

[1] For Cobden on the supposed dangers of French invasion *vide The Three Panics: An Historical Episode.* This pamphlet was not published until 1862, but it perfectly represents his attitude from 1847 to 1853.

with France; in 1842 and again in 1845 when war with the United States was almost precipitated by the Maine and Oregon boundary questions; and in 1846 during the controversy with France over the Spanish marriages. In no one of these cases was there a reduction in the navy after the disputes were settled. The result was that naval expenditure had increased from four and a half to six and a half million pounds between 1835 and 1852. Cobden maintained that the British fleet, if concentrated off the English coast, was adequate to protect that coast from any proposed invasion without necessitating any increase in Great Britain's armed forces.[1] This speech of 1852 was Cobden's best oratorical plea for disarmament. His best literary plea was made the next year in three "Letters" on 1793 and 1853. In this pamphlet he cited Lord Aberdeen's remarks in the House of Commons in 1849, and Sir Robert Peel in 1841 and again in 1850, in support of his argument that all Europe should agree on a general reduction and limitation of its armaments. Early in 1848, after making a study of conditions during a continental trip in 1847, Cobden denounced Europe's war system. He claimed that over 2,000,000 armed men were supported by European nations at a cost of £250,000,000, and his letter to the Peace Congress of 1848 contained various armament statistics which he furnished in the hope that the Peace Congress would open the eyes of European governments to the excessive waste and expense of their war establishments.[2]

[1] *3 Hansard*, vol. cxix, pp. 567, 592, 1337, 1342; vol. cxx, pp. 302-311; vol. cxxi, p. 140. (February to May, 1852.) *N. B.*, Cobden also spoke in the House of Commons on disarmament, 17 June, 1851; 13 Dec., 1852; 28 April, 1853. Morley, J., *Life of Cobden, op. cit.*, vol. i, pp. 507 and 531.

[2] Cobden, R., *Political Writings, op. cit.*, pp. 198, 306, 391. And for confirmation of his statements *cf. 3 Hansard*, vol. lix, pp. 403 to 404; vol. cvii, p. 704; vol. cix, p. 766; *3 Hansard*, vol. cvi, p. 119, Cobden's defence of his arbitration motion, 12 June, 1849; Cobden, R., Letter to

When it comes to estimating the results of the efforts made in behalf of disarmament, the less one commits oneself the better. The following facts are relevant but insufficient for making a generalization; they give only a tentative indication of results. In 1848 the war expenditure of Great Britain was more than seventeen and a half million pounds; in 1851 this had decreased by almost three million pounds; but in 1852 it had risen again to sixteen and a half million pounds. It may be noted in this connection that the total national income, 1850-1852, averaged fifty-two and a half million pounds a year. In 1848 the British land forces, regular army and militia combined, numbered 158,909; by 1852 the total land forces had been reduced to 132,133. During the first year of the Crimean War, when in Parliamentary debates the condition of the British army was admitted to be very bad, its staff incompetent and its effective armament depleted, certain Members of Parliament laid the blame therefor at the door of the Parliamentary friends of peace who had brought about a reduction in the military establishments. But Earl Grey who had been associated with the Government for nineteen years denied that "over-economy" was responsible for that state of affairs. He testified that the House of Commons had voted about fifteen and a half million pounds annually for the army and the navy, and he said that the "miserable condition" of the army was attributable rather to the forty-year period of peace. Lastly, between 1845 and 1853 there were 2117 public petitions in favor of disarmament and against raising the militia, and they carried over 600,000 signatures. The 213 petitions of 1850 and 1851 were for the promotion of general disarma-

the Peace of Congress of 1848, in *Reports of the Peace Congresses, op. cit.*, p. 20. Letter to Charles Sumner, 9 March, 1848 and 7 Nov., 1849, printed in Hobson's *Cobden the International Man, op. cit.*, pp. 336 and 337.

ment; the 1400 petitions of 1852 were against the Militia Bill and the proposed enrolment of the Militia.[1] Cobden's championing of the cause did more to make the case for disarmament respectable, as it were, than anything else could have done. The uncompromising stand he took probably hurt Cobden's prestige somewhat, as did his opposition to the Crimean War; but the fact that a man of his reputation in practical and economic matters should urge a decrease in armaments must have given pause to many who would otherwise have been opposed to every such measure.

### ECONOMIC AND POLITICAL INTERNATIONALISM

Some few economic liberals advocated a combination of economic and political internationalism, believing that freedom from commercial restrictions would promote peace and facilitate international cooperation. However, except in a few cases, the close connection between Free Trade and peace was not often insisted upon. As Mrs. Bosanquet has shown, it was chiefly in England, and then only for a very brief period in the middle of the century, that the Peace and Free Trade issues were associated. That the peace societies never actively joined forces with the free traders was partly due to their desire to keep the peace question separate and distinct from other questions. In England the free-trade agitation was so momentous an issue in party politics that, had the London Peace Society identified itself with the free-trade movement, the cause of peace might have become merely subsidiary to the larger movement, and would most certainly have lost protectionist sympathizers. In the

[1] Burritt, E., *Year-Book of the Nations, op. cit.*, p. 21; *Journal of the Statistical Society*, 1850, vol. xiii, p. 365; 1852, vol. xv, p. 259; McCulloch, J. R., *Statistical Account of the British Empire* (London, 1854), p. 22; The B. A. C., *Year-Book*, 1845-1853, lists of public petitions, and 1852, p. 136. *3 Hansard*, vol. cxxxvi, pp. 355, 1011-1015, 1041, 1082-1083; *Debates* of Dec., 1854 and Jan., 1855.

United States, where interstate free trade was practised and international protection preached, it would have been a tactical error for American peace societies to ally themselves gratuitously with a movement of that kind. Cobden, writing to Henry Ashworth in 1842, expressed "the greatest surprise" that the Society of Friends did not see in Free Trade their best means of establishing universal peace. But the two causes, if officially allied, would have mutually discredited each other: free traders would have suffered from being supported by friends of peace, and advocates of peace would have been charged with having most at heart the commercial advantages to be derived from international free trade. Rapprochement between the two movements was indicated when Charles de Brouckere, president of the Brussels Free Trade Congress of 1847, wrote a letter of encouragement to the members of the Brussels Peace Congress of 1848 in which he said that free traders were the natural allies of friends of peace, and that in spreading their own doctrines, they were also advancing those of universal peace. But it is noteworthy that this came after the free trade victory in England.[1]

Certain free traders and friends of peace were, unofficially, of mutual aid and assistance to each other; and a few men took an active part in both movements. As early as 1827 an English and an American peace society had expressed belief that international free trade would lead to universal peace; men like Cobden and Bright, J. S. Mill, Joseph Sturge, Elihu Burritt, and the French liberal economists, Chevalier,

[1] Richard, H., *Memoirs of Joseph Sturge* (London, 1864), p. 421; Cobden to H. Ashworth, 12 April, 1842, printed in *Morley's Life of Cobden, op. cit.*, p. 248; R. Cobden's *Political Writings, op. cit.*, p. 220; Letter of C. de Brouckere to the Peace Congress of 1848, in the *Reports of the Peace Congresses, op. cit.*, p. 20; Bosanquet, Helen, *Free Trade and Peace in the Nineteenth Century* (Nobel Institute publication, 1924), pp. 14, 22, 40, 41 and 71.

Enfantin and Bastiat emphasized the connection between the two and popularized the idea of their concomitance.[1]

For the bearings of free trade on peace no man of greater authority can be cited than Richard Cobden, leader of the Free Trade Movement in England, the national and international champion of free exchange. Before 1845 Cobden showed little interest in peace, not because he was unsympathetic with the movement but because free trade absorbed all his energy; he believed in dealing with one question at a time. If a cause was worthy of allegiance, it merited, to his mind, unremitting labor and whole-hearted support. Also, the very fact that Cobden considered free trade an auxiliary to international peace was an added reason for his concentration on that issue; only after making sure of the first was there any point in turning his attention to the second. But that commercial reform is the best preparation for international political reform, the leading men in the Anti-Corn-Law agitation never doubted. They looked to far-reaching results; they counted on thus tightening the bonds between nations, increasing the interdependence of peoples and, in consequence, the intimacy of their relations. They did not formulate in so many words the theory that economic unification is a prerequisite of political unification, but they implied it. They believed that industrial and commercial protection insulates men and disposes them to war; that, conversely, cooperation tends to unite them and diminish racial antagonisms. Laveleye, writing after the unification of

[1] Richard's *Memoirs of Joseph Sturge, op. cit.*, 272 and 274-284; Sturge's *Visit to the U. S. in 1841, op cit.*, pp. 183-196, 218 and 219; Burritt's *Works, op. cit.*, pp. 84-92, 104; Bosanquet, *Free Trade and Peace in the 19th Century, op. cit.*, pp. 72-78. *N. B.*, Cobden and Sturge, and to a lesser extent Bright and Burritt belonged to both movements. Sturge was the author of the free trade resolution of the London Peace Convention of 1843. The peace societies cited in 1827 were the Exeter Auxiliary Peace Society and the Massachusetts Peace Society.

Germany, was the first of the free traders who could point to the Zollverein, the customs union of the German States, as an object lesson for economic and political internationalism. But Cobden at least appreciated the fact that cooperation along economic lines tends to result in cooperation along political lines. He postulated commercial reform as the one "reliable entente cordiale" between nations, and on this ground urged the Anglo-French Free Trade Treaty of 1860. Cobden, friend of peace though he was, never allied himself with the peace movement; but in 1850, while speaking on Peace at Wrexham, he publicly committed himself to the advocacy of both causes. These are the very words he used:

> I believed Free Trade would have the tendency to unite mankind in the bonds of peace, and it was that, more than any pecuniary consideration, which sustained and actuated me, as my friends know, in that struggle. . . . Therefore, on high religious grounds, and on Free Trade grounds, I support the gentlemen who are devoting themselves to the cause of Peace. . . . I am not ashamed of the title of "Champion of Peace," —and only wish I deserved it.[1]

The Great Exhibition of 1851 gave added weight to the new doctrine that progress in industry was likely, in the future, to go hand in hand with amicable international relations. As a popular magazine had previously said, commerce with its new "civilising and humanising" mission no longer needed to have a custom house for its Church or a tariff for its Bible.[2]

[1] Cobden's *Political Writings, op. cit.*, p. 81; Burritt's Lecture on the *Mission of Commerce*, in his *Works, op. cit.*, pp. 92-104; Douglas Jerrold's *Shilling Magazine*, 1847, vol. v, p. 330; Laveleye, E. de, on the *Causes of War, op. cit.*, p. 31; Letter of Cobden to Arles Dufour, 26 Dec., 1857, in Hobson's *Cobden the International Man, op. cit.*, p. 246; Hobson, *Cobden the International Man, op. cit.*, pp. 261 and 281; *Cobden's Speeches* (London, 1870), vol. ii, pp. 421, 422; Bosanquet, H., *Free Trade and Peace in the 19th Century, op. cit.*, pp. 48 and 49.

[2] Douglas Jerrold's *Shilling Magazine*, 1845, vol. i, pp. 516 and 521; Bosanquet, H., *Free Trade and Peace in the 19th Century, op. cit.*, p. 75.

One other question which touched both free trade and peace had to do with foreign loans. Friends of peace approached the matter from the standpoint of the unfairness of lending money to governments in order to facilitate their intervention in the affairs of other nations. For once, their cause was almost popular. The problem of government loans was so practical a one, it touched so nearly the "man in the street", that it was easy to find arguments against loaning money to European nations which would appeal to the average person,—arguments that had nothing to do with the ethics of the question. On one hand business men, representatives of the commercial and industrial interests, could be relied on for caution; they would require reasonable assurance that there was a minimum risk involved in the making of a foreign loan. Then there were ardent republicans and idealists, Byronically-inclined individuals who, under no circumstances, would countenance the aiding of a despotic government against a people struggling for liberty and free institutions. When friends of peace were able to demonstrate to the satisfaction of their hearers at a public meeting that a proposed loan was either financially unsound, or else that the money was likely to be used against Hungarians, Greeks, Italians or Poles, they could count on being supported by these two classes of the community. When in 1849 the Austrian Government opened negotiations for a seven-million-pound loan to defray the expenses of its recent wars in Italy and Hungary; and when shortly thereafter the Russian Government advertised through Baring Brothers for a loan of five and a half million pounds, ostensibly to complete the Moscow-St. Petersburg Railway, both friends of peace and economic liberals bestirred themselves. The Peace Congresses drafted resolutions against the general system of war loans, and the London Peace Society convened public meetings to get an expression of public opinion against the

proposed loans. Cobden spoke at two of these meetings and stressed the risks involved in lending money to governments such as those of Austria and Russia. Not only were they warlike, they were also despotic; and the domestic affairs of both nations were complicated by minority problems which were likely to precipitate civil wars or revolutions at any time. The *Westminster Review,* in an extraordinarily sympathetic article, described the "novel test" that Cobden and "the peace party" recommended administering to necessitous governments. If a nation requires money for war-like purposes, or needs to replenish its treasury on account of previous wars, then the would-be borrower must be denied. A potential national creditor should make exhaustive inquiries as to the financial and economic condition of the prospective debtor state in order to ascertain the nature and extent of its resources and of its debts. The *Westminster Review* goes on to say that, were a proclamation to be issued to European Governments abolishing forever the system of foreign loans, standing armies would necessarily be reduced and the doctrine of non-intervention would triumph.[1]

A few minor proposals for international cooperation were advocated almost exclusively by promoters of a congress of nations, because it was taken for granted that a certain degree of international organization would have to be effected before such proposals could be successfully initiated (*cf. supra*, pp. 112-116). Such, for instance, were schemes for a universal postal reform, and for the international standard-

[1] Cobden, R., *Speeches on Questions of Public Policy*, edited by John Bright and Thorold Rogers (London, 1870), in 2 volumes, vol. ii, pp. 179-189, 191-210; (*i. e., Speeches on Foreign Policy*, London, 8 Oct., 1849 and 18 Jan., 1850); *American Almanac*, 1851, Chronicle for 1850, p. 325; *Herald of Peace*, Dec., 1849, p. 409; *Westminster and Foreign Quarterly Review*, 1850, vol. lii, pp. 207-225; Morley's *Life of Cobden, op. cit.*, vol. ii, p. 35.

ization of weights and measures, of coinage, and of commercial laws. It was hoped that uniformity in matters of practical daily life might give to the citizens of different nations a feeling of unity and appreciation of the fact that they had certain things in common. The next generation of economic liberals also adopted these ideas. Laveleye, speaking for the Cobden Club in 1872, included them among his suggestions for specific measures that would tend to diminish the number of causes of war. According to him such remedies would aid in establishing a system of arbitration and a working code of international law, and would help to pave the way for international federation in the future.[1]

[1] Laveleye, E. de, *On the Causes of War, and the Means of Reducing their Number, op. cit.*, pp. 31 and 37.

# CONCLUSION

## The Place of the Mid-Nineteenth Century Peace Movement in the History of International Organization

Many things might be included in a closing chapter on the mid-nineteenth century peace movement, but there are only two which cannot be omitted. What place had the cause of peace in nineteenth-century thought? And what was the significance of the movement for international coöperation in the history of the evolution of international organization? The latter is easier to answer, or at least to indicate, than the former, so one must begin at the beginning. But unfortunately, there are no satisfactory criteria by which to estimate the importance of the peace movement in its early stages. Intangible gains to the cause of peace which are traceable to this middle period might profitably be enumerated by one who was scholastically inclined; but the result would be about as conclusive as would an estimate of the number of angels that could stand on the point of a needle. The circulation of peace principles; popular reaction or response to such ideas; whether or not war was more or less condemned, and its evils more or less generally recognized were matters of great moment to mid-century friends of peace; and were their only methods of gauging the importance of the peace movement in the eyes of the world, and, having no other yardstick, their optimism varied directly with their appreciation of such intangibilities.[1] One is at a loss, on looking backward, to know how to deal with the

[1] *Advocate of Peace*, June, 1844, p. 211.

unsubstantial and controversial data obtainable from this period. It is far safer, though inglorious, to stick to the tangible gains of a later period. There comes to mind a verse of Arthur Hugh Clough which furnishes an analogy for the conversion of public opinion:

> For while the tired waves, vainly breaking,
> Seem here no painful inch to gain,
> Far back, through creeks and inlets making,
> Comes silent, flooding in, the main.

On the other hand, it might be relevant to note the kind of criticism that the peace movement brought upon itself. For this purpose the English press, which gave increasing publicity to peace questions and reported regularly on the peace congresses, is particularly illuminating. English papers and periodicals may be divided into three classes: the eulogistic, the neutral and the hostile. In a class apart were the *London Times* and *Punch*, the former antagonistic, the latter friendly to the cause. Furthermore, the *Year-Book* regularly mentioned the Peace congresses in its annual chronicle of occurrences, beginning with the Paris Congress of 1849; and the *Annual Register* noticed briefly the London Convention of 1843 and made flippant comments on the Frankfort Congress of 1850.[1] The *Daily News* fits under no heading because it supported the peace movement in 1848, then gradually lost interest in it, and by 1851 had ceased even to report on the peace congresses. Twenty-two newspapers gave unqualified, though spasmodic support to the movement. Ten of these were provincial papers including the *Leeds' Mercury* and the *Manchester Examiner*, both of which were first rate. The sympathetic London papers were either liberal, free trade or religious, and they included the *Morn-*

[1] See the *British Almanac Companion* and the *Annual Register* for the above mentioned years.

*ing Advertiser* which had the second largest circulation in the kingdom.[1]

Of the opponents of the peace movement, *Blackwood's Edinburgh Magazine* was the most consistently denunciatory, and the *Morning Chronicle* was the most intelligently hostile. The principal arguments they used against the friends of peace was to the effect that they were impractical and unpatriotic, that the habitual use of arbitration would be no guarantee against the use of force, and that disarmament would never be practicable so long as human nature remained unchanged.[2]

[1] See especially: *The Morning Advertiser*, 26 Sept., 1848; 6 Oct., 1848; the *Examiner*, extract printed in Littell's Living Age, vol. xx (Feb., 1849), p. 297; the *Patriot*, 28 Sept., 1848; the *Leeds Times*, 30 Sept., 1848; the *Express*, 26 Sept., 1848 (evening edition); *Herald of Peace*, Nov., 1848, p. 201; Feb., 1849, p. 253; Sept., 1851, pp. 185-190; Nov., 1848, pp. 203-208. Extracts are quoted from the following papers: for 1848, the *Wesleyan*, the *Christian Times*, the *Standard of Freedom*, the *Nonconformist*, the *Athenaeum*, the *Manchester Examiner*, and for 1851, the *Western Times*, the *Leeds Mercury*, the *Manchester Examiner*, the *Hull Advertiser*, the *Huddersfield Chronicle*, the *Sheffield Independent*, the *Birmingham Mercury*, the *Suffolk Chronicle*, the *Evangelical Magazine*, the *Bath and Cheltenham Gazette*, the *Economist*, the *Athenaeum*, the *Nonconformist*, the *Standard of Freedom*, the *Christian Times*, *Punch*, the *Weekly Despatch* and *Douglas Jerrold's Weekly Newspaper*. *N. B.*, About half the above references were checked and found to be exact. Martin, Kingsley, *The Triumph of Lord Palmerston, op. cit.*, p. 95: in 1853 the *Morning Advertiser* had a daily circulation of 7000. (Grant and Fox-Bourne are cited for this statement.)

[2] See especially, the *Morning Chronicle* for 25 and 26 Sept., 1848; 24 July, 1851. This paper also denounced individuals associated with the movement, Cobden, and de Cormenin, and ridiculed de Girardin and Sir David Brewster for being bellicose "friends of peace"—(all four of them); *Blackwood's Edinburgh Magazine*, Sept., 1851, pp. 360-366; March, 1853, pp. 372-378. Blackwood's was particularly bitter against the non-resistant attitude of Burritt and his followers. See also, the *Quarterly Review*, vol. clxx, pp. 452-474, Sept., 1849, article on "Peace Agitators"; and the extract from the *Sun* quoted in the *Herald of Peace* Sept., 1851, p. 191.

*The Times,* most influential of the daily papers, was actively opposed to the peace movement during the first part of the era of the congresses. Between 1840 and 1852 the circulation of the *Times* increased from 10,000 to 40,000 copies a day, which was more than five-times that of its nearest rival (the *Morning Advertiser*); and such was its power that statesmen, and even kings, angled for its support. Reports of the congresses were given accurately and straightforwardly enough, but the editorials of the *Times* alternately ridiculed and denounced the whole movement. They even misrepresented the proceedings of the friends of peace upon on occasion, and tiraded against the fanaticism of the age which showed-up at its worst in "association-mongering." So outstanding was the position of the *Times* that it proved a formidable adversary to the cause. Conversely, with the cessation of its active hostility after 1850, friends of peace felt justified in taking heart. Its two-column report of the Peace Congress of 1851 was accompanied by no editorial comment whatever; and the advance notice of the Edinburgh Congress of 1853 spoke of it as an "important conference." [1]

*Punch,* hailed by Cobden as a champion of peace, supported the movement indirectly through its advocacy of peaceful foreign relations. Too much space had to be devoted to more pressing questions of the day and to domestic politics for the cause of peace to be allotted overmuch, but every little helped. Satire was a weapon rarely used by friends of peace, so it is probable that *Punch* did them a real

[1] *The Times,* articles and editorials on the peace congresses, 1843, 1848-1853 (inclusive, except for the year 1852) see the *Times'* index. Especially for: 28 June, 1843, an instance of ridicule and of denunciation; and for 27 Sept., 1848 (.4-c, d.), an instance of misrepresentation. Also, 24 July, 1851 and 25 July, '51; 28 Sept., 1853. The *Herald of Peace,* Sept., 1851, p. 185; Cook, Sir Edward, *Delane of the Times* (London, 1916), pp. 2 (and 2, note 2), 15 and 28; Martin, Kingsley, *The Triumph of Lord Palmerston, op. cit.,* pp. 86, 87 and 95.

service by employing it against militarism and aggressive foreign policies. The peace congresses, of course, came in for their share of ridicule, but that only served to place peace on the same footing with other proposed reforms. Even so, the satire on the Paris Peace Congress ended on a serious note: *Punch* considered that friends of peace had taken a step forward by making "an assent to the creed of peace the test of civilization." Most important of all was the article on Cobden's arbitration motion, the more remarkable in that *Punch* declared himself earnestly, vehemently and wholeheartedly in favor of the motion. The only ridicule he indulged in was at the expense of Cobden's opponents.[1]

On turning to such papers as deigned to offer constructive criticism, one finds a genuine respect for the aims of friends of peace offset by a disbelief in the practicality of certain of their proposals.[2] Certain magazines, though willing to back the abstract truth of peace doctrines, took care to insist that all wars were not avoidable; that wars fought for certain objects, such as self-defense or liberty, were both justifiable and necessary.[3]

[1] *Cobden's Speeches, op. cit.*, vol. ii, p. 415. (Speech on Peace at Wrexham, 1850); *Punch, or the London Charivari*, 1841-1854, *passim*, and especially: on foreign policy and foreign affairs, *1841*, vol. i, pp. 74, 102 and 143; *1842*, vol. iii, pp. 126, 201, 202, 237, 238, 251; *1843*, vol. iv, pp. 56 and 57; *1848*, vol. xiv, pp. 7, 17, 29, 31, 33-38, 42 and 49; vol. xv, pp. 128, 144; *1849*, vol. xvi, p. 143; vol. xvii, pp. 101 and 226; *1850*, vol. xviii, pp. 68, 116, 173, 202, 220, 243, 244 and 247. On militarism, *1842*, vol. ii, p. 56 ("Q"). On Cobden's Motion, *1849*, vol. xvi, p. 257. On the Peace Congresses and the activities of the friends of peace: *1843*, vol. v, p. 18; *1849*, vol. xvii, pp. 84, 85, 90, 93, 111 and 197 (a cartoon).

[2] *Cf.*, especially: The *Spectator*, 26 July, 1851, p. 697; the *Westminster Review*, July, 1847, p. 365; and the *Illustrated London News*, 1 Sept., 1849, pp. 145-146.

[3] *Cf.*, especially. *Illustrated London News, ibid.*, and 16 June, 1849, pp. 401-402; *Sharpe's Magazine*, quoted in *Littell's Living Age*, Feb., 1851, pp. 362-366; *Chambers's Edinburgh Journal*, 1851, vol. xvi, pp. 170, 171.

On the subject of armaments, both liberal and conservative journals showed a tendency to extreme caution. An occasional paper like the *Daily News* might call attention to the need for reducing standing armies, but the maxim, "si vis pacem, para bellum," was very generally adopted.[1] Likewise, "practical men," such as Cobden, were warned against identifying themselves with a visionary movement lest they should endanger their reputations and so diminish their chances of success in more practicable reforms.[2]

Occasionally some journal offered advice which might profitably have been acted upon. *The Manchester Times,* for example, called attention in 1848 to the fact that the London daily press was, on the whole, unfavorable to peace congress proceedings. Friends of peace were accordingly advised to concentrate on enlightening public opinion at home, and to undertake the conversion of the *Times* and its satellites.[3] A few years later *Chambers's Edinburgh Journal* pleaded for moderation; cautioned against overstatement of

[1] *Cf.*, especially, *Chambers's Edinburgh Journal*, 1851, vol. xvi, p. 170; *Household Words*, 23 Aug., 1851, pp. 505-507; the *Quarterly Review*, March, 1848, vol. lxxxii, pp. 453-483; *The Edinburgh Review*, April, 1849, p. 524; *Blackwood's Edinburgh Magazine*, July, 1852, pp. 1-22; *Daily News*, 28 Sept., 1848; Morley, J., *Life of Cobden, op. cit.*, vol. ii, p. 4—Letter of Cobden to John Bright, 23 Dec., 1848—"...as respects armaments, I do not forget that last Dec. (1847), hardly a Liberal paper in the kingdom supported me in resisting the attempt to add to our forces. Such papers as the *Sun, Weekly Despatch, Sunday Times* and *Liverpool Mercury*, went dead against me; and... the rest...were silent."

[2] *Illustrated London News*, 1 Sept., 1849, p. 146; *Blackwood's Edinburgh Magazine*, March, 1853, p. 376. "Men who aspire to be the guides and teachers of nations . . . who would lend a hand in the actual business of life . . . they owe it to their own reputations, and they owe it to society, . . . to undertake no tasks that are impossible of fulfillment." They should not link themselves to this Quixotism who "ignore that man has passions and prejudices to sway, as well as reason to guide him."

[3] *Manchester Times*, 30 Sept., 1848, p. 207.

existing evils; and urged the wisdom of moderate optimism plus the effective direction of enthusiasm. At the same time, this journal insisted that every allowance should be made for these first peace crusaders, and demanded to know why any movement should be derided which aimed at the general good.[1]

In 1850 the *Westminster Review* declared its belief in the ultimate success of friends of peace; and the following year the neutral *Spectator* announced that "The Peace Congress with its annual conferences, appears like its predecessor, the Anti-Slavery Society, to be in a fair way to become one of our national institutions." In short, as a provincial paper expressed it, by 1851 the peace movement was no longer looked upon as either Utopian or ridiculous.[2]

[1] *Chambers's Edinburgh Journal*, 1850, vol. xiv, pp. 177, 178. *Cf.*, especially, pp. 178, 281-284. "We would have the advocates of Peace to divest their cause of everything which may appear extravagant both in the statement of the evils to be reformed, and in the expression of their hopes of improved arrangements. We would not merely have them to tame themselves and their language down into a strictly practical tone, ... but to abstain from all claims, as well as clamours, which proceed upon what must generally be felt as a false idea of human nature. We would warn them particularly against such errors as the advocacy of the cause of the Bornese pirates."

And for *1851*, vol. xv, pp. 192-195—(on Burritt, the "Peace Apostle": "nothing of any value is ever done unless under a certain degree of enthusiasm"—p. 192), and also vol. xvi, p. 171, "why there should be any sarcasm expended on the principles professed by the Society we are at a loss to understand.... We would pass over any eccentricities in its operations as things too inconsiderable for notice, and candidly anticipate that it may prove of vast use in spreading and confirming those habits of thought which lead to the conservation of national tranquillity."

[2] *Westminster Review*, 1850, vol. lii, pp. 208 and 209; the *Western Times*, quoted by the *Herald of Peace*, Sept., 1851, p. 189. The *Spectator*, 26 July, 1851, p. 185, includes a statement that the Peace Congress is "backed by the whole influence of Exeter Hall." Two leading New York newspapers, the *Tribune* and the *Herald*, reported on the most important of the Peace Congresses, the one held in Paris in August, 1849.

The years from 1851 to 1853 mark the close of the middle period. The progress of the peace movement thereafter is another story, and an account of its later phase would probably begin with 1867, the year in which friends of peace renewed their active work. The tangible gains of this later period are striking as compared with the meager output of the mid-century peace movement; but they are to be comprehended only if one bears in mind the preparatory work of the earlier phase. When international reformers recommenced their activities they found the ground work already done for them and had only to take up the work where their predecessors had left off. It has been mentioned that the outbreak of the Crimean War arrested all peace plans and proposals, and that the decade 1853-1863 was a set-back to peace in both the British Isles and the United States. When the movement for international reform was resurrected after the Civil War in the United States and given point by England's mediation between France and Prussia in the matter of Luxembourg, there was a noticeable change in its objective. There was a more conscious trend toward international cooperation, and peace plans of immediate, practical value were at a premium. Peace societies in general did not recover their former prestige; but countless associations were formed for specific methods of peace work. International leagues and societies were founded for the promotion of some one peace plan, and they gradually overshadowed the older societies which gave indiscriminate backing to all peace proposals. By merely checking over the names of these associations one can see that almost every

The *Herald* gave a slight account of the meeting, without any comment. The *Tribune* gave a full report of its proceedings and followed that up by a brief editorial in which the effort of friends of peace to reduce armaments was commended, and the effort to outlaw war loans was strongly condemned. See, the *Herald*, 5 Sept., 1849; the *Tribune*, 6 and 11 Sept., 1849.

one embodies some idea which originated in the pre-Crimean War period.[1]

The preceding chapters have indicated the evolution of several of the more important plans for international reform and hinted at the change in emphasis that took place in respect to their relative merits. The movement for arbitration and the codification of international law developed at the expense of plans for a congress of nations. The wars entailed by the unifications of Italy and Germany served to discredit propositions for disarmament: friends of peace recognized that the need therefor was greater than ever, but they also realized the uselessness of making a determined stand against excessive armaments in the eighteen-seventies. In addition, they attached less importance to non-resistance propaganda; they tended to rest the case for peace on economic and sociological rather than on religious grounds; and they thought it wiser not to make a sweeping denunciation of all wars or to dwell too much on the horrors thereof.[2] Earlier pacifism and cosmopolitanism, essentially negative in character, had yielded to a more practical type of internationalism with a concrete end in view. Instead of combating war directly, peace was the immediate objective; war was to be indirectly combated by the building-up of international coöperation. Or, to put it another way, active peace work was substituted for anti-war propaganda. Very slowly the vague concept of a world state resting solely on the shoulders of pacifically-inclined individuals, without any intermediate organization, had fallen before the assaults of

[1] *Cf.*, especially, the Cobden Club, founded in 1866; the International Arbitration League, founded in 1870; the Interparliamentary Union, founded in 1889. Also, *cf. The Peace Year-Book*, 1927, for other international societies.

[2] *Advocate of Peace*, July 1896, pp. 177-179; Nov., 1896, p. 246; Field, H. M., *Life of David Dudley Field, op. cit.*, p. 245; Pierce, E. L., *Memoir and Letters of Charles Sumner, op. cit.*, vol. ii, p. 381.

practical pacifism. Still more slowly the movement for coöperation, well under way by 1880, was expanded to include a movement for international organization. The internationalization of commerce, of industry, of labor; the founding of permanent international associations, which would ultimately embrace the whole field of human activities, was tentatively embarked upon. The half century beginning with 1856, a period of congresses and conferences, witnessed the rise of international legislation and the development of international administrative law. Although the principle of nationality was unquestionably in the ascendant, national states were indirectly and inexorably drawn into the movement for coöperation. In the twentieth century the World War showed the inevitability of a working compromise between unrestricted nationalism and internationalism. The answer was a single, comprehensive organization, a League of Nations functioning through national units, and based on economic and political internationalism. Early friends of peace had failed, broadly speaking, to realize that political organization must follow, not precede, economic organization; that the only durable international ties spring from a unity founded on the economic and financial interests which the nations have in common. They visualized economic and political paths to world peace, but they did not see that the political path was, not a separate, parallel one, but the obvious continuation of the economic path. This concept evolved in the course of the later nineteenth century.[1]

[1] Amos, Sheldon, *Political and Legal Remedies for War, op. cit.*, pp. 53 and 54; Reinsch, P. S., *Public International Unions* (Boston, 1911), pp. 2-8; Woolf, L. S., *International Government* (New York, 1916), pp. 176 and 350; Hershey, A. S., *The Essentials of International Public Law and Organization* (New York, 1927), p. 89. And especially, class notes on a course on Public Law given by Professor J. P. Chamberlain at Columbia University, Oct., 1928, and conversations with Professor Chamberlain.

And yet, in spite of these differences, in spite of the shift of emphasis and of objective, the credo of the nineteenth century friend of peace is closely akin to that of the twentieth century pacifist. "Pacifists believe," asserted John Nevin Sayre in 1928, "that out and out peace controls are available, or that they can be organized, and that the League of Nations, the Locarno treaties, and all other peace agencies will be most secure when they rely not on 'armed sanctions for defense,' but on peace processes alone." [1] For further illustration, some of the addresses delivered, also in 1928, at the New York Conference of the Academy of Political Science, are worth citing. Two of the speakers, for instance, insisted that "the moral equivalent of war" must be found.[2] Imperialism, tariff barriers and irredentism were mentioned as the principal menaces to peace; and a plea was made to discard abstract problems and concentrate on "economic realities" in order to induce public opinion to support the Briand-Kellogg Pact.[3] Walter Lippmann expatiated upon the merits of the Briand-Kellogg Pact, but his chief claim for it was the fact that its promulgation had made "pacifism more respectable." An almost identical tribute was paid to Cobden's arbitration motion in 1849.

Before dealing with the specific contribution of the mid-century peace movement, a word might be said as to the tangible evidences of its progress between 1840 and 1874. A list of the arbitrations, arbitration treaties and stipulated arbitration clauses in international treaties is given in the appendix; so also are landmarks in the development of

[1] *The World Tomorrow*, August, 1928, No. 8, p. 332.

[2] Meeting of the Academy of Political Science, Hotel Astor, New York City, 23 Nov., 1928; Professor E. R. A. Seligman and Mr. W. Randolph Burgess, quoting William James.

[3] Professor P. T. Moon and John Strachey of the London *Spectator*. ... For the text of the Pact see Appendix III–D.

international law,—they need not, therefore, be repeated here. The arbitration motions made in national legislatures, those lost as well as those carried, are also listed, together with the resolves of certain of the American state legislatures on the subject of arbitration and a congress of nations. The Twenty Third Protocol of the Treaty of Paris, 1856 (see appendix III for text), was claimed by friends of peace, not without reason, as a direct result of their efforts.[1] The free trade treaties, especially the Anglo-French commercial treaty of 1860, are important for the economic aspect of the peace movement, even though there is some question as to how far friends of peace are even indirectly responsible for it. Along the lines of international cooperation, reference has already been made to the Geneva and St. Petersburg Conventions of 1864 and 1868 (*cf. supra*, p. 144); it is enough to say here that their work was cemented by the Brussels Conference of 1874 which incorporated into the Brussels Code all previous international agreements as to the regulation of maritime and land warfare.[2] The international administration of rivers became an accepted practice: the Rhine Commission was perfected between 1831 and 1868; the Danube Commission was established in 1856; and the Elbe, the Scheldt and the Po River Commissions were all established by 1850.[3] The effort to put slave-trading on a level with piracy was persistent, and attempted international regulation thereof, from 1841 to 1862, paved the way for later international conventions and the Brussels Acts in the eighteen-nineties.

[1] *Herald of Peace*, 1 June, 1856, pp. 61 and 62; *3 Hansard*, vol. ccxii, p. 64. Henry Richard's defense of his arbitration motion, 8 July, 1873; Hobhouse, Stephen, *Life of Joseph Sturge, op. cit.*, pp. 155 and 157.

[2] Amos, Sheldon, *Political and Legal Remedies for War, op. cit.*, pp. 316, 321 and 322.

[3] Chamberlain, J. P., *The Regime of the International Rivers: Danube and Rhine* (N. Y., 1923), *passim.*

Lastly, public international unions were inaugurated before the Crimean War and multiplied rapidly after 1870.[1]

To what extent was the mid-century peace movement responsible for later developments in international cooperation? Was the mid-century movement a prerequisite to the later one? Would the present degree of international organization be conceivable without this preparatory movement? Such questions may fairly be asked of apologists of the early friends of peace. But the reply to them depends on so many imponderabilities that a direct and unqualified one cannot be given. One fact only is incontrovertible. The present degree of international organization might have been achieved eventually, but friends of peace,—always assuming that they might have been capable of originating in 1867 the identical ideas which they in fact inherited,—would still have had all the preparatory work to do for themselves. No peace movement could have omitted its first stage, its period of incubation, and that was undeniably what the earlier movement supplied. Even if one were to maintain that the later movement was entirely new and unconnected with its forerunner; that the mid-century peace movement had reached its maximum potential growth in 1853; and that it died and was never resurrected; this assertion would still hold because the earlier movement was unquestionably a precursor of the later one. A living self or a dead self, the earlier movement was the stepping-stone on which the later nineteenth-century movement for international cooperation rose to a height that it could never have reached had it dated its rise from 1867. One might also bear in mind that every noteworthy peace plan or suggestion which was made prior to 1853 still survives. Two such facts should be enough to convince even detractors of the early peace movement that it was not without importance. As for

[1] Reinsch, P. S., *Public International Unions, op. cit., passim.*

the possible criticism that friends of peace might have accomplished more than they did before the outbreak of the Crimean War, that is beside the point. The actual output of the first peace workers is irrelevant when it comes to an appraisal of the enduring value of their ideas, or the significance of the peace movement as a whole.

> What hand and brain went ever pair'd?
> What heart alike conceived and dared?
> What act proved all its thought had been?
> What will but felt the fleshly screen?

## APPENDIX I

Comparative outline of the Plan made for a Congress of Nations in 1840, and of the constitution of the League of Nations as finally drafted in 1919. The revised Covenant was unanimously accepted by the representatives of the Allied and Associated Powers in Plenary Conference at Paris, 28 April, 1919.

The texts reproduced (and re-arranged) in the following pages were taken from:

*American Prize Essays, op. cit.*; Miller, D. H., *The Drafting of the Covenant* (New York, 1928); Butler, Sir Geoffrey, *A Handbook to the League of Nations*—Reissue with Additions (London, 1928.) (Contains the *Articles of the Covenant* of the League of Nations, a *Commentary on the Covenant* and the *Statutes* and *Rules* of the Permanent Court of International Justice.)

*N. B.*—The Commission on the League of Nations, a committee of 19 members, prepared, in the course of ten meetings, the first draft Covenant of the League of Nations. The draft was based on various plans submitted to it for consideration, the chief of which was President Wilson's. This plan had been compounded from suggestions made in the "Phillimore Report" to the British Cabinet, 20 March, 1918; General Smuts's and Lord Robert Cecil's plans of 1919; conversations with Col. House and M. Léon Bourgeois, together with certain of Mr. Wilson's own ideas. After re-examination and discussion based on recommendations that had been received from 13 neutral states, the Commission on the League of Nations issued a final draft. . . . It is interesting to note that the Phillimore Committee, in summing up the results of its historical researches, might almost be quoting from the American Prize Essays (of 1840)—"All schemes, both ancient and modern, have been carefully considered. . . . None of them, however, in their entirety appear to your Committee to be practicable or

likely to meet with acceptance. We have therefore drafted a Convention in which, while embodying their leading ideas, we have endeavored to avoid their more obvious stumbling-blocks (20 March, 1918)."—Wilson, Florence, *The Origins of the League Covenant* (London, 1928), p. 115.

| PLAN OF THE PRIZE ESSAYS. | ARTICLES OF THE LEAGUE OF NATIONS. |
|---|---|
| 1840 | 1919 |
| MEMBERSHIP. | |
| ORIGINAL MEMBERS. | |
| The United States.<br>Great Britain.<br>France. | Twenty-nine Signatories plus thirteen states invited to accede to the Covenant. |
| ..... | ..... |
| The extension of a general invitation to Christendom by these three would probably lead to the joining of Russia, Austria, Spain, Portugal and Italy. | Signatories of the Treaty of Peace, to wit: — The United States of America, Belgium, Bolivia, Brazil, The British Empire, Canada, Australia, S. Africa, New Zealand, India, China, Cuba, Ecuador, France, Greece, Guatemala, Haiti, Hedjaz, Honduras, Italy, Japan, Liberia, Nicaragua, Panama, Peru, Poland, Portugal, Roumania, Serb-Croat-Slovene State, Siam, Czecho-Slovakia, Uruguay.<br>(*N. B.* — Of the above 29 States, only 3, namely the U. S. A., Ecuador and the Hedjaz did not become members of the League in 1919.<br>The 13 States invited, namely Argentine, Chile, Colombia, Denmark, Netherlands, Norway, Paraguay, Persia, Salvador, Spain, Sweden, Switzerland and Venezuela, all became members of the League. |
| A. P. E. (1840), VI. pp. 583; 630. | Art. I and Annex to the Covenant. |

PROVISION FOR NEW MEMBERS.

| | |
|---|---|
| Any nation that would guarantee to observe the rules and adopt the international laws which the Congress had enacted prior to its adherence. | Any self-governing State, Dominion or Colony: *if* ⅔ majority of the League agrees to its admission; *if* it shall give "effective guarantees" & *if* it accept regulation by The League of its military, naval and air forces. |
| P. E.—VI. 522. | Art. I. |

RIGHT OF SECESSION.

| | |
|---|---|
| Any nation could withdraw at pleasure, provided that it was not seeking to evade or annul a decision made against it by the Congress. | Any member, with two years notice, could withdraw if it left no unfulfilled obligations (i. e., toward the League or international). |
| P. E.—II. 190; III. 292. | Art. I. |

ORGANS OF THE LEAGUE.

| | |
|---|---|
| A CONGRESS of Nations—with transient membership and legislative powers. | AN ASSEMBLY consisting of representatives of all Members of the League. |
| A COURT of Nations, to be established by this Congress; — with permanent membership and judicial powers. | A COUNCIL, or executive body, with a permanent advisory commission of the Great Powers (4). |
| | A PERMANENT SECRETARIAT, or "new international civil service." |
| | A PERMANENT COURT OF INTERNATIONAL JUSTICE, to be established by the Council, and to be parallel to the Hague Court of Arbitration (organized by the Hague Conventions of 1899 and 1907) and to special Tribunals of Arbitration. |
| | Articles II, IX and XIV of the Covenant. Also, Butler's Commentary on the Covenant. |
| P. E.—VI. 521. | Statute of the Permanent Court, I. |

| CONSTITUTION OF THE CONGRESS. | CONSTITUTION OF THE ASSEMBLY. |
|---|---|
| *Meetings:*—to be arranged. | *Meetings:* — to be arranged at stated intervals. |
| *Sittings:* — where representatives will be as far removed as possible from the pressure of their national governments. | *Sittings:*—to be arranged. |
| *Delegates:*—an uneven number, to be determined by each nation. ONE (collective) VOTE per nation, and only one turn to speak in the discussions. | *Delegates:* — 3 representatives per member with ONE (collective) VOTE per nation. |
| P. E.—III. 285; VI. 581. | Art. III. |

JURISDICTION OF THE CONGRESS AND LEAGUE OF NATIONS.

| | |
|---|---|
| THE CONGRESS is "solely to concern itself with the intercourse of nations in peace and war." | THE COUNCIL is competent to settle any dispute between members which is not automatically referred to arbitration—*except* a "matter which by international law is solely within the domestic jurisdiction" of the applicant. *Note:* — The Council can refer any dispute to the Assembly. |
| P. E.—VI. 524. | Art. XV. |
| THE COURT OF NATIONS is competent to settle:— | THE PERMANENT COURT OF INTERNATIONAL JUSTICE is competent to:— |
| 1) *Cases* referred to it by the *mutual consent of belligerents.* | 1) "Hear and determine any dispute of an international character which the parties thereto submit to it." |
| 2) *Cases* referred to it by the "hostile factions" of any country. | 2) "Give an advisory opinion upon any dispute or question referred to it by the Council or by the Assembly." |

| | |
|---|---|
| 3) *Boundary disputes* — of any sort.<br>*Mediation* could be *offered* where war exists or threatens.<br>It would be the *duty* of the Court to suggest laws to the Congress for inclusion in the proposed Code.<br>The *Power* of the Court would be purely advisory. | |
| P. E.—VI. 552, 553, & 550. | Art. XIV. |

## DECISIONS.

| | |
|---|---|
| *Congress* of Nations: — the decisions must be *unanimous* in order to be binding. | Decisions of the *Assembly* and of the *Council* must be *unanimous* —on the part of such representatives as are present at the meeting. (A quorum constitutes ⅓ of the members of the Assembly for the latter body, *i. e.*, about 50 persons.) |
| P. E.—VI. 523. | Art. V and Butler's Commentary. |
| *Court of Nations:*—verdicts to be given on the basis of a *majority vote.* | *Permanent Court of Int. Justice:*— Questions to be decided on the basis of a *majority* of judges present at the hearing. |
| P. E.—VI. 551 | Statute of the Perm. Court, Art. LV. |

## AMENDMENTS.

| | |
|---|---|
| Amendment or annulment of any article *of the proposed international law code* would have to be by the *unanimous* consent of all the parties concerned — since each article had to be ratified unanimously. | Amendments to the *Covenant* can take effect when ratified by the Council and by a majority of the Assembly. |
| P. E.—VI. 523. | Art. XXVI. |

| COURT OF NATIONS. | PERMANENT COURT OF INT. JUSTICE |
|---|---|
| ORGANIZATION. | |
| *Members:* — Their appointment to be left to the Governments represented in the Congress. . . . . Probably would number two for each nation. | *Members:* — The Court to consist of 15 members—11 judges and 4 deputy-judges; to be elected by the Assembly and by the Council from a list of persons nominated by the national groups in the Court of Arbitration—regardless of their nationality. |
| P. E.—VI. 550. | *Statutes* of the P. Court, II, III and IV. . . . Articles V to XIII stipulate the regulations in accordance with which the candidates shall be nominated by the national groups, and the rules governing their election by the Assembly and the Council. |
| *Privileges of Members:*—to be the same privileges and immunities as for ambassadors. | *Privileges of Members:*—Members of the Court, when engaged on the business of the Court, to have diplomatic privileges and immunities. |
| P. E.—VI. 550, 551. | Statute XIX. |
| *Organization of Members:*—Members of the Court to choose from their midst a president and vice-president, and appoint the necessary clerks, secretaries and reporters. | *Organization of Members:* — The Court to organize itself, draw up its own rules. It shall also select its President, and Vice-President for 3 years, with the privileges of re-election; and appoint its Registrar. |
| P. E.—VI. 551. | Statute XXI; Statute XXX. |
| *Tenure of Office:*—to be arranged by previous agreement in the Congress. "Probably during good behaviour." | *Tenure of Office:* — to be for 9 years with the privilege of re-election. . . . . A judge, though replaced, shall finish any case which he may have begun. |
| P. E.—VI. 551. | Statute XIII. |

| | |
|---|---|
| *Salaries:* — Members either to be paid by the governments sending them, or by the nations represented in the Congress, conjointly, in proportion to national population or wealth. | *Salaries:*—to be determined by the Assembly upon the proposal of the Council. To be paid annually. . . . The expenses of the Court to be borne by the League of Nations. |
| P. E.—VI. 551. | Statutes XXXII and XXXIII. |
| *Meetings* of the Court: — never to be in a country which had a case on trial. | *Meetings* of the Court:—to be at the Hague. |
| P. E.—VI. 551. | Statute XXII. |
| *Sessions of the Court*—to be annual. It must provide for its own adjournments. | *Sessions* of the Court:—to be annual. It must provide for its own adjournments and extraordinary sessions. |
| P. E.—VI. 551. | Statute XXIII. |

| COURT OF NATIONS. | PERMANENT COURT OF JUSTICE. |
|---|---|
| PROCEDURE OF THE COURT. | |
| *Verdicts:* — majority vote, after hearing counsel on both sides of the case. | *Verdicts:* — majority vote, after hearing counsel on both sides of the case. |
| P. E.—VI. 551. | Articles LV and XLII (Statute). |
| *Judgments to be based:*—on<br>1) The Code of International Law to be prepared by the Congress.<br>2) Existing treaties.<br>3) "Principles of equity and justice."<br>(*i. e.*, 2 and 3 to supplement 1.) | *The Court to apply:*<br>1) The rules of international conventions.<br>2) International custom.<br>3) The general principles of the law of nations.<br>Supplemented by:—<br>4) Judicial decisions, and "the teachings of the most highly qualified publicists of the various nations."<br>5) The Court shall have the power to decide a case *ex aequo et bono*, if the parties agree thereto. |
| P. E.—VI. 552. | Statute XXXVIII. |

| | |
|---|---|
| | *The deliberations of the Court* to "take place in private and remain secret." |
| | Statute LIV. |
| *The Judgment must contain:—*<br>A statement of the *facts* of the case;<br>The *reasoning* on which the judgment is based. | *The Judgment must contain:—*<br>The *names* of the parties, their agents and the judges participating;<br>The matters of fact;<br>The *reasons* on which the judgment is based. |
| P. E.—VI. 552. | *Statute* of the Court, LVI; *Rules* of the Court, XLII. |

## PROPOSED WORK OF THE CONGRESS AND LEAGUE OF NATIONS.

| | |
|---|---|
| Preparation of a Code of International Law which should cover the three fields of *belligerent rights, neutral rights,* and the *intercourse of nations* in peace and war. | (The organization of International Law was begun:—in the Treaty of Paris, 1856; the International Law Conferences of 1873; and the Hague Conventions of 1899 and 1907. . . . . The Acta of the Hague Conventions covered, among other subjects, the following topics: — the laws and customs of war on land; the rights and duties of neutral powers and persons in war on land; neutral rights and duties in maritime warfare; certain restrictions on maritime warfare; the establishment of an International Prize Court, and provisions for the pacific settlement of international disputes. |
| *P. E.*—VI. 522, 524. | *Butler*, Sir G. (1928), p. 26.) |

I.—Prevention of War.

| | |
|---|---|
| 1) Simultaneous reduction and limitation of armaments. | 1) *Limitation of armaments:*— The Council to formulate plans which the governments are free to accept or to reject, but once accepted, the Members of the League agree not to exceed them. |
| *P. E.*—VI. 547, 548; IV. 372, 373. | Art. VIII and Butler's Commentary. |
| | 2) A mutual guarantee of territory and independence: against *external aggression only*—*i. e.*, unlike the Holy Alliance, since it is not to interfere with the internal affairs of states. |
| | Art. X and Commentary. |
| | 3) Machinery for the peaceful settlement of disputes. |
| | Arts. XII–XVII. |
| *a*—There is no provision for arbitration other than that implied in the description of the jurisdiction and duties of the Court of Nations. | *a*—Members agree to submit either to arbitration, to judicial settlement or to enquiry by the Council in case "there should arise between them any dispute likely to lead to a rupture." And "they agree in no case to resort to war until 3 months" after the award or the report. |
| | Art. XII. |
| *b*—Establishment of a Court of Nations. | *b*—Establishment of a Permanent Court of International Justice. |
| *P. E.*—VI. 524. | Art. XIV. |

SANCTIONS.

*a—Public Opinion.*
For one nation to declare war on another nation, without the permission of the Congress of Nations, would constitute a violation of the law of nations.
II. 154.

*P. E.*—VI. 600; I. 70; II. 182; III. 292; IV. 400; and V. 498.

*a—re* disputes between Members of the League.
Members agree to constitute themselves into a defensive alliance vs. any Covenant-breaking State which should declare war vs. a Member of the League.

*N. B.*—The aggressor State, by resorting to war in disregard of its covenants "shall, *ipso facto,* be deemed to have committed an act of war vs. all other members of the League."

Possible supplementary sanctions:

1) Individual, national guarantees for every decision of the Congress.

*P. E.*—III. 292.

Provisions for:—

1) *Outlawry* and quarantine of the covenant-breaker through the prohibition of all diplomatic, economic, commercial and financial intercourse between that State and any other State whatsoever.

*a*—Disputes between Members of the League.

2) *National outlawry,* including:—
*Non-intercourse,* economic, commercial, diplomatic, and financial.
*Blockades.*
*Captivity of subjects* wherever found.
"Humiliating *censures.*"

*P. E.*—II. 191.

2) Military, naval and air forces can be used to protect "the covenants of the League."
Forces to be contributed by "the several governments concerned" on the recommendation of the Council.

Art. XVI.

*b* — *re* Disputes between a League Member and a non-Member, or between two or more non-Members.

*N. B.* — The League "asserts the claim that no State, whether a Member of the League or not, has the right to disturb the peace of the world until peaceful methods of settlement have been tried."—*i. e.*, breach of the peace of the League is intended to be comparable to a breach of the King's peace in early English law.

On the other hand, flexibility in the regulation of international affairs is assured by Art. XIX, which gives the Assembly the right to advise League Members to reconsider and recast obsolete treaties.

1) In the event of any dispute, non-Members "shall be invited to accept the obligations of membership in the League for the purpose of such dispute."

2) If such non-Member State or States refuse, when so invited, to become temporary League Members, and resort to War—the League may apply the provisions of Art. XVI vs. that State, or take such action as the Council shall recommend to prevent war.

Art. XVII and Butler's Commentary.

II.—Treaties and Understandings.

Definition of the new conditions which are to govern international agreements: — provides that the *validity of treaties* is to depend on *registration* (and their eventual publication by the Secretariat); that they are *liable to reconsideration,* and must be *consonant with* the terms of the *Covenant.*

Articles XVIII–XXI.

*Article XXI* safeguards national agreements that are not inconsistent with the League's own terms: *i. e.,* special treaties for compulsory arbitration; military conventions of a genuinely defensive character; and regional understandings such as the Monroe Doctrine.

*N. B.*—The mutual guarantee of *Art. X* represents "the extension to the whole world of the principles of the (Monroe) doctrine."

Butler's Commentary.

Functions of the League in Peace.

Not binding unless supplemented by existing or future Conventions.

1) Regulation of the *conditions* of *labour* for men, women and children. XXIII. a.

2) Protection of the native inhabitants of territories under the control of the League. XXIII. b.

3) The League is to have control over the trade in arms and ammunition in certain countries. XXIII. d.

5) Improvements in international communication: — the construction of lights and buoys, of railways and canals (Panama and Suez); and the defining of the principles of salvage.
*Also:*—the establishment of the principle of the free navigation of bays and rivers.
*P. E.*—VI. 547.

7) *Note:*—The Red Cross was not organized until the Crimean War.

8) *Note:* — There were no conquered colonies or territories which could be organized as Mandates,—1840 was not a post-war period.

9) Necessity of suppressing the slave trade and abolishing piracy.
*P. E.*—VI. 546 and IV. 383-389.

10) The Congress to provide for uniformity in the matter of:—
*a*—International patents and copyrights;
*b*—Universal standard of weights and measures;
*c*—International post-office.
*P. E.*—VI. 547; IV. Ch. 3.

4) The League is to have charge of executing agreements in regard to the traffic in women and children; and in regard to the traffic in opium and other dangerous drugs. XXIII. c.

5) The League is to have charge of securing and maintaining freedom of communication and of transit and equitable treatment for the commerce of all League Members.
XXIII. e.

6) International bureaux and commissions are to be placed under the direction of the League.
XXIV.

7) The League undertakes to widen the sphere of action of Red Cross organizations, — in order to improve health, prevent disease and mitigate suffering.
XXV.

8) Rules and principles for the governing of League Mandates.
XXII.

11) The Congress to remove tariff barriers and obstacles to free trade.
*P. E.*—IV. 363.

12) The Congress to standardize certain laws,—*e. g.* laws relating to *marriage, property rights, contracts; majority, evidence and domicile; expatriation* and *extradition.*
*P. E.*—VI. 546, and IV. 365-368.

13) The Congress to see to the restoration of all military trophies and captured standards.
*P. E*—VI. 549.

14) The Congress to abolish certain crimes against humanity—such as torture, human sacrifices, etc.
*P. E.*—IV. 361.

15) Provisions for the relief of famine—or of plague-stricken nations by one or more nations.
*P. E.*—IV. 371.

16) The safe-guarding of "natural, inalienable" individual rights—such as freedom of worship.
*P. E.*—IV. 359, 360.

## APPENDIX II

### A. Resolves of the United States' State Legislatures re Arbitration

*Massachusetts: 1844*, Resolution of the Legislature of Mass. in favor of "the institution of a congress of nations, for the purpose of framing a code of international law, and establishing a high court of arbitration, . . . "

Passed by 30 out of 32 in the Mass. Senate, and passed unanimously in the House of Representatives.

*Vermont: 1852*, Legislature of Vt. passed a similar resolution.

### B. Motions made in National Legislatures re Arbitration

*1849*,[1] Motion of R. Cobden in the House of Commons for stipulated arbitration treaties. July, 1849.

Resolution of A. Tuck in the U. S. House of Representatives for arbitration treaties or for a congress of nations. Jan., 1849.

Motion of F. Bouvet in the Chambre des Députés of France for stipulated arbitration. Jan., 1849.

[1] All 3 motions lost.

*1851, Feb.*, Resolution of H. S. Foote in the U. S. Senate for stipulated arbitration clauses in all future treaties. (Resolution "laid over.")

*1853, Feb.*, Resolution of J. Underwood for stipulated arbitration clauses,—reporting to the U. S. Senate for the Committee on Foreign Relations. (Lost).

*1873, July*, Motion of H. Richard in the House of Commons for the establishment of a general and permanent system of arbitration and the improvement of international law. (Motion carried.)

*Nov.*, Motion of Mancini in the Italian Chamber of Deputies for general arbitration. (Carried.)

*1874, June-Nov., Similar motions* carried in: The U. S. House of Representatives (Woodford); Second Chamber of the Swedish Diet (Jonassen); States General of the Netherlands (Van Eck); and—Jan., 1875—in the Belgian Senate and Chamber of Deputies (Couvreur).

*1888, June*, Motion for stipulated arbitration, *i. e.* negotiations with foreign powers therefor, resulting from a report by John Sherman on the communication of 233 British Members of Parliament. (Carried by both the U. S. Senate and House of Representatives.)

*1893, June*, Reciprocal Resolution carried in the House of Commons.

## APPENDIX III

### A. Text of the Letter of J. Q. Adams to the New York Peace Society in 1837

Printed in the *American Prize Essays, op. cit.*, p. 593

"Your petition first brought to the notice of the whole government of the United States the *fact*, that the Mexican Congress had, by a solemn decree of 20 May, 1837, authorized their Executive to agree with our government to refer the differences between the two countries to an arbitrator. . . . Congress was indebted . . . to the petition . . . for the knowledge that the Mexican decree existed. . . . The proposal of a reference to arbitration was itself so reasonable, that no voice was heard in Congress against it. The denial of its existence (by the chairman of the Committee on Foreign Affairs) produced an immediate formal communication of it to the Executive Administration of the U. S., and very soon afterwards, it was conditionally accepted. This removed all immediate danger of a war with Mexico; and if the petitioners of the Peace Societies had never rendered to their country any other service, they would have deserved the thanks of the whole nation for this."

### B. Article 21 of the Treaty of Guadalupe Hidalgo between the United States and Mexico, 2 Feb., 1848

Printed in the *American Quarterly Register and Magazine*, Sept., 1848, vol. i, pp. 549 and 550

"If any disagreement . . . should hereafter arise between the Governments of the two republics, whether with respect to the interpretation of any stipulation in this treaty, or . . . in respect to . . . the political or commercial relations of the two nations, the said Governments, . . . do promise . . . that they will endeavor, in the most sincere and earnest manner, to settle the differences so arising, . . . by means of mutual representations and pacific negotiations." If such negotiations should fail, there shall be no hostilities of any kind, "until the Government . . . aggrieved shall have maturely considered

. . . whether it would not be better that such difference should be settled by the arbitration of commissioners appointed by each side, or by that of a friendly nation." Should arbitration or mediation by a friendly nation "be proposed by . . . either Government, . . . it shall be acceded to by the other, unless deemed by it altogether incompatible with the nature of the difference or the circumstances of the case."

(*N. B.*, This is the first stipulated arbitration clause in an important treaty between two nations.)

C. Twenty-third Protocol annexed to the Treaty of Paris, 14 April, 1856. (Translation.)

Printed in G. F. de Martens' *Nouveau Recueil Général de Traités*, . . . Tome xv, p. 765

"The plenipotentiaries do not hesitate to express, in the names of their Governments, the wish that states between which any serious misunderstanding may arise should, before appealing to arms, have recourse as far as circumstances may allow to the good offices of a friendly Power."

D. Text of the Briand-Kellogg Pact

Fifteen original signatories at Paris, 27 August, 1928
Ratified by forty-eight nations on 24 July, 1929

"*Article I*—The high contracting parties solemnly declare in the names of their respective poeples that they condemn recourse to war for the solution of international controversies and renounce it as an instrument of national policy in their relations with one another.

"*Article II*—The high contracting parties agree that the settlement or solution of all disputes or conflicts of whatever nature or of whatever origin they may be, which may arise among them, shall never be sought except by pacific means."

An editorial in the *New York Herald Tribune*, 25 July, '29, has the following comment:

"The Briand-Kellogg treaty represented a force of world opinion, and the force made itself felt. . . . War, except a war in self-defense, has became in international law an illegal activity for the signatories."

# APPENDIX IV

## Landmarks Significant in the Peace Movement: 1838-1875

| | General | Re Arbitration | Instances of Official and Unofficial International Cooperation |
|---|---|---|---|
| 1838 | First Trans-Atlantic Steamship Crossing—S. S. *Gt. Western* | | |
| 1839 | | Arbitration between the United States and Mexico | |
| 1841 | Slave Trade Convention—Five-Power Treaty | | Anti-Slavery Convention—London |
| 1842 | Webster-Ashburton Treaty—U. S. and Gt. Britain | | |
| 1843 | | | London Peace Convention |
| 1846 | Oregon Treaty—U. S. and Gt. Britain | | First International Prison Congress |
| 1847 | | | International Free Trade Congress |
| 1848 | Guadalupe-Hidalgo Treaty—U. S. and Mexico | First Stipulated [1] Arbitration Clause (in Guadalupe-Hidalgo Treaty) | Brussels Peace Congress |
| 1849 | | Arbitration Motions in Three National Legislatures | Paris Peace Congress |
| 1850 | Clayton-Bulwer Treaty—U. S. and Gt. Britain | | Frankfort Peace Congress |
| 1851 | The Great Exhibition of Industry—London | Foote's Arbitration Motion—(U. S. Senate) | London Peace Congress |
| 1853 | Reciprocity and Arbitration Treaties—U. S. and Gt. Britain (1853 and 1854) | Underwood's Arbitration Motion—(U. S. Senate) London Claims Commission | Edinburgh Peace Congress |
| 1855 | Paris International Exposition | | |
| 1856 | Treaty of Paris Declaration of Paris | Twenty-third Protocol of the Treaty of Paris (Arbitration Clause) | Establishment of the Danube Commission |

[1] See Appendix III–B.

## APPENDIX IV—*Continued*

| | General | Re Arbitration | Instances of Official and Unofficial International Cooperation |
|---|---|---|---|
| 1860 | Anglo-French Free Trade Treaty | | |
| 1862 | International Exhibition—London | | |
| 1863 | Lieber's "Instructions" for the U. S. Army | | |
| 1864 | | | The Geneva Convention |
| 1865 | | | Founding of the Telegraphic Union (20 States) |
| 1866 | First Successful Atlantic Cable | Arbitration Between the U. S. and Venezuela | Social Science Congress (Manchester) "The First International"—Geneva (Workingmen's Ass'n) |
| 1867 | Paris International Exposition | | International Geodetic Conference "The International" at Lausanne |
| 1868 | | Arbitration Between the U. S. and Mexico | St. Petersburg Convention |
| 1869 | Completion of the Suez Canal | | First St. Gothard Railway Convention |
| 1870 | | Arbitration Between the U. S. and Brazil | Founding of the International Arbitration League |
| 1871 | Treaty of Washington Treaty of London | Arbitration Between the U. S. and Spain | Second St. Gothard Railway Convention |
| 1872 | | Geneva Settlement of the Alabama Claims | Congress of "The International" at the Hague |
| 1873 | Vienna International Exposition | Arbitration Motions of Richard and Mancini | Founding of the Institute of International Law and the International Law Association |

APPENDIX IV—*Continued*

| | General | Re Arbitration | Instances of Official and Unofficial International Cooperation |
|---|---|---|---|
| 1874 | | Arbitration Motions of Woodford, Jonassen and Van Eck | Brussels Conference Establishment of the Universal Postal Union |
| 1875 | | Anglo-Portuguese Arbitration Couvreur's Arbitration Motion | Establishment of the Metric Union |

*N. B.*—1830-1840: Development of Railways, in England, Europe and the United States of America.

1831-1869: Development of the judicial and administrative powers of the Rhine Commission.

1858-1863: Arbitrations between the United States of America and Chile, Paraguay, Costa Rica, Colombia and Peru.

1871-1873: 13 consular and 6 extradition conventions.

1889: Founding of *The Interparliamentary Union.*

1899: The First Hague Convention.

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*Burritt's Christian Citizen.* (Only from 1844-1851.)
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*Littell's Living Age.*
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